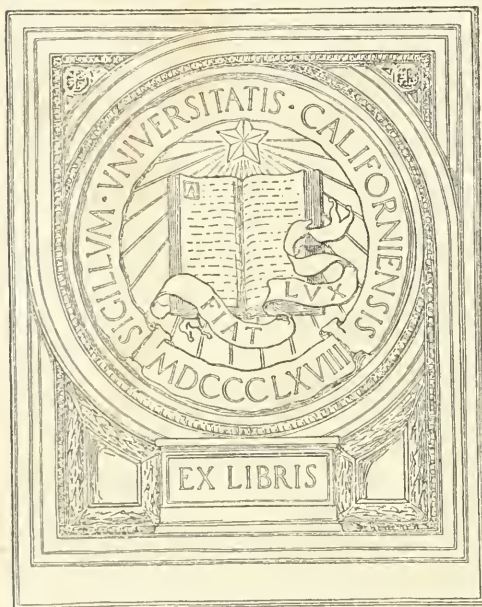


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THE
CHARTER AND ORDINANCES
OF THE
CITY OF ATLANTA

CODE OF 1910

JAS. L. MAYSON, City Attorney
WM. D. ELLIS, Jr., Assistant City Attorney

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THE MAYOR AND GENERAL COUNCIL
OF THE CITY OF ATLANTA

1910

HON. R. F. MADDOX, Mayor.

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Charter of 1874 as Amended.

CHAPTER 1.

Section 1. Corporate Name—Powers.—The inhabitants of the territory hereinafter designated are hereby continued corporate by the name and style of THE CITY OF ATLANTA, a body politic and corporate, with power to govern themselves by such ordinances, resolutions and by-laws for municipal purposes as they may deem proper, not in conflict with this Charter, nor the Constitution and laws of this State, nor of the United States, with power in and by said corporate name, to contract and be contracted with, sue and be sued, plead and be impleaded, in all the Courts of this State, and do all other acts relating to its corporate capacity; and shall be able, in law, to purchase, hold, receive, enjoy, possess and retain for the use and benefit of the said City of Atlanta, in perpetuity or for any term of years, any estate or estates, real or personal, lands, tenements, hereditaments of whatever kind or nature so ever, within the limits or without the limits of said City, for corporate purposes; to hold all property and effects now belonging to said City, either in her name or in the name of others, to the use of said City, for the purposes and intents, for which the same were granted, or dedicated; to use, manage and improve, sell, and convey, rent or lease, and have the like powers over property hereafter acquired, and to have and use a common seal.

LIMITS.

Sec. 2. Corporate Limits—One and Three-Fourths Miles.—The corporate limits of said City shall extend one mile and three-fourths in each and every direction from a stone post or column standing in the Eastern corner of the Union Passenger Depot in said City—that is to say, the corporate limits shall form a perfect circle around said stone post or column, the radius of which shall be one mile and three-fourths.

Sec. 3. Inman Park Extension.—Also beginning at the intersection of the present City limits and the Georgia railroad track, and running thence Northeasterly along said track of said Georgia Railroad to the dividing line between Fulton County and DeKalb County; thence running North along said dividing line

between said Counties to the intersection of said dividing line with the Northeasterly line of Augusta Avenue, projected to intersect said County dividing line; thence along said Northeasterly line of said Augusta Avenue in a Northwesterly direction to the intersection of the Northwesterly line of Highland Avenue, and said Northeasterly line of said Augusta Avenue projected; thence Southwesterly along said Northwesterly line of said Highland Avenue to its intersection with the present City limits; thence along the line of the present City limits of the City of Atlanta to the point of beginning. The territory above described shall be and constitute a part of the Fourth Ward of said City of Atlanta immediately after the passage of this Act.

Sec. 4. Further Extension.—In addition to the territory heretofore mentioned, the said limits of the City of Atlanta shall be extended along the tracks of the Georgia Railroad to the line dividing the property formerly owned by Mrs. R. M. Clarke, and now owned by the East Atlanta Land Company, from the place owned by Mrs. Ed Holland, and thence Northwardly along said line, along the property of the East Atlanta Land Company, and thence Westwardly along the line of said Company back to the present limits of the City of Atlanta.

Sec. 5. Peachtree Street Extension.—Also beginning at the present City limits at a point two hundred (200) feet West of West Peachtree Street, thence running Northwardly parallel with West Peachtree Street, and two hundred feet West of said Street to a point two hundred (200) feet North and beyond Fifteenth Street, thence East parallel with Fifteenth Street and two hundred feet beyond same to Piedmont Avenue, thence Northeastwardly along the East side of Piedmont Avenue to the West side of the right-of-way of the Southern Railway, and thence Southwardly along the West side of said right-of-way to its intersection with William's Mill Road, and thence along William's Mill Road to Prospect Street, thence along Prospect Street to the present City limits, thence Westwardly in a curve along said City limits to the beginning point.

Sec. 6. Eighth Ward Extension—Representation.—The new Eighth Ward created under the provisions of this Act (1904) shall be entitled to two Councilmen and one Alderman, one Councilman to be elected for one year and one for two years, their

successors for two years each, and the same shall be elected at the next municipal election; and the citizens of said newly annexed territory shall be entitled upon compliance with the regulations applying to the other citizens of Atlanta, so far as they may be applicable, to vote in said election; and the citizens living in the new Eighth Ward, as created by this Act, shall be entitled to all the rights and privileges of other citizens of Atlanta, and such citizens shall be given the same right and representation in the municipal government of said City as is now secured, and guaranteed to various wards in said City of Atlanta.

Sec. 7. Grant Park Extension.—The territory in Fulton County outside of the present corporate limits of the City of Atlanta contiguous to L. P. Grant Park, and for one mile in each and every direction from said Park, is incorporated under the jurisdiction of said City.

CHAPTER II.

ANNEXATION OF WEST END.

Sec. 8. West End—Seventh Ward.—The territory known as the City of West End shall be annexed to and shall become a part of the City of Atlanta, said territory being described as follows: Commencing where the original land line between land lots number 108 and number 109 crosses the present corporate limits of the City of Atlanta on the West, and running from thence West along the North line of land lots 108 and 117 to the Northwest corner of said land lot 117; from thence running South along the West line of land lots 117 and 118 to the Southwest corner of land lot 118; from thence East along the South line of land lots 118 and 107 to the Central Railroad; thence in a straight line in a Northeasterly direction to a point where Humphries Street crosses the present corporate limits of the City of Atlanta, as shown by Cooper's map of Atlanta; and from thence along the present corporate limits of the City of Atlanta to the beginning point.

Sec. 9. Ordinances of Atlanta Extended to—Collection of Balances Due West End.—In all cases, except where expressly excepted in this Act, all laws and ordinances, whether general or special, now applicable and in force in the City of Atlanta as now constituted, shall be applicable and of force in the territory now known as West End, as described above. Laws for the collection of balances due West End, as well as for preserving order, are covered by this section.

Sec. 10. Separate Ward—Boundaries Unchanged.—Said territory, now known as West End and described above, shall by itself be a separate and distinct ward of the City of Atlanta, and shall be known and designated as the Seventh Ward of the City of Atlanta, and shall in the future be and remain a separate distinct ward with the boundaries unchanged, except as the same may be enlarged by and with the consent of two-thirds of the general council of the City of Atlanta.

Sec. 11.—Councilmen—Aldermen—How Many.—Said terri-

tory, when it shall become the seventh Ward of the City of Atlanta, shall be entitled to only one Councilman for the next five years from the date of annexation, unless said territory shall sooner contain five thousand or more inhabitants, then, and in that event, said Seventh Ward shall be entitled to two Councilmen equally with the other wards of said City. The first Councilman for said Ward shall be elected in the same manner and under the same rules and regulations as shall be the aldermen and Councilmen for the other wards of the City of Atlanta at the next general City election, that is, at the general City election to take place in the City of Atlanta. The present territory of West End shall participate in said general election just as if it were then a part of the territory of the City of Atlanta, and the citizens thereof shall vote for the full City offices, including their own Councilmen, as do the other citizens of Atlanta, the citizens of West End being constituted citizens of Atlanta for the purposes of said election. Said Councilman at said election chosen shall serve for the term of two years, and at every other election a new Councilman for the Seventh Ward shall be elected. But the citizens of the Seventh Ward shall participate equally with the other citizens of Atlanta in every City election, whether a Councilman shall at said election be elected for the Seventh Ward or not. If the said Seventh Ward does not before said time contain five thousand or more inhabitants, then, at the general City election to be held in the fall of the year 1898, there shall be a new Councilman chosen by the City as all other Councilmen are chosen, to represent the Seventh Ward of said City for a term of two years, and a new Councilman shall thereafter be elected for said ward at each City election just as Councilmen are elected for the other wards of said City. If before five years from January 1, 1894, the said Seventh Ward shall contain five thousand people, then at the next City election thereafter held, a new Councilman shall be elected to represent the Seventh Ward. If it so happens that the original Councilman provided for in this Act is also to be elected at said last-mentioned election, then the term of office of the new Councilman at said election to be elected shall be for only one year, and each year thereafter at each City election a Councilman shall be elected to represent the Seventh Ward.

Sec. 12. Representation—Boards.—If, hereafter, the wards of the City of Atlanta shall, as such, become entitled to representation by an Alderman each, then, and in that event, the Seventh

Ward shall have the same right with the other wards of the City to such representation. Said Seventh Ward shall also have the same representation as do the other wards of said City upon the Board of Education, the Board of Water Commissioners, the Board of Health, and upon the other Boards as by law now or hereafter to be provided in the case of other wards; and to that end, said Boards shall be enlarged by adding thereto the representative from the Seventh Ward, who shall hold for such tenure as the ordinances prescribe. At the second meeting of the Council in January, 1894, there shall be an election for the purpose of adding to said Board the representatives allowed for the Seventh Ward. Those then elected shall hold their office until there is a regular election under the charter of the City of Atlanta to elect the members of said Boards, and at said regular election, and always thereafter, the representatives on said Boards from the Seventh Ward shall be elected as are members from other wards.

Sec. 13. Rights of West End Preserved—Contracts of, Preserved—Liens Preserved.—Except as the laws may be changed or modified by the laws and charter of the City of Atlanta, said City shall succeed to and preserve and carry out all the rights of West End, whether they exist by reason of contract or otherwise, and especially will Atlanta preserve to the citizens of the Seventh Ward all the rights that the citizens of the City of West End now have as to street railroad franchises, grants, or conditional grants. And in enforcing any contract or lien received from the City of West End under this contract, the City of Atlanta shall have and exercise all the rights and remedies that the City of West End, or its citizens, had or may have had; and in addition the said City of Atlanta shall have all the rights and remedies, which West End now has to enforce said contracts or liens so received, this power to apply to executions for taxes and assessments for local improvements of any kind.

Sec. 14. Bonded Indebtedness of West End Assumed—Assets of West End Vested in Atlanta—Assets Named.—Atlanta shall, and by the Act does, assume the bonded indebtedness of West End, which amounts to the sum of \$52,000.00, and on January 1, 1894, said City of Atlanta shall, by virtue of this Act, and by virtue of the agreement made by and between the City of Atlanta and the City of West End, and without any further writing or conveyance, become invested with the absolute title and owner-

ship, control and rights of disposition of all the municipal assets and property of West End. The assets of West End, which by this Act shall become the property of Atlanta, are:

Gordon Street lot, 75 x 100 feet.

Impounding lot, west of school lot.

A triangular lot, 60 x 60 feet Railroad Avenue and Oak Street.

The City interest in the school building and lot on Lee Street.
the City's interest estimated at \$22,000.00.

Such tax fi fas and claims for street improvements, sewer and sidewalks not collected by the City of West End on January 1, 1894.

Mules, carts, wagons, harness and iron safe.

It is the purpose of this Act to invest the City of Atlanta with the full title of the property above described at the date aforesaid, and with title to all other assets belonging to West End, January 14, 1894.

Uncollected executions for taxes or assessments, whether due to West End or transferees, shall be enforced by levy and sale by the Marshal of Atlanta, subject to redemption, as in tax sales. The City of Atlanta also assumes and agrees to acquire by purchase or otherwise all the right, title and interest that private citizens have in and to said house and lot, provided the same does not cost more than \$6,000.00, and shall keep and hold the sole and complete title to the same for school purposes.

Sec. 15. Manufacture and Sale of Liquors Prohibited.—The manufacture and sale of alcoholic, spirituous and malt liquors shall, however, be prohibited within the territory now known as West End, and in the adjacent territory outside of Atlanta, as now provided by the charter of West End.

Sec. 16. Lights—How Many Maintained—Contract for Preserved.—Within the territory now known as West End, the City of Atlanta shall maintain twenty arc lights until the termination of the present contract of the City of West End with the Atlanta Gas Company. After the termination of said contract, five additional arc lights shall be maintained by the City of Atlanta in said territory. The City of Atlanta shall assume and carry out with the Atlanta Gas Light Company the contract the City of West End has with the said Company, said contract providing that the City of West End shall pay for fifty gas lamps, \$1,152.00 per year.

Sec. 17. Sanitary Service.—The City of Atlanta shall have performed for the West End territory the same amount and kind of sanitary service on the same terms as to sanitary taxes as are or may hereafter be enjoyed by the balance of the City of Atlanta.

Sec. 18. Fire Engine House—Men—Engines.—The City of Atlanta shall in the year 1894 build a brick fire engine house in the present territory of West End, and equip the same with engine, hose, hose-reel, horses and with such other equipment as are necessary, at an estimated cost of \$6,850.00. Said City shall man said fire engine house and its equipments with a company of not less than five men, and said Company shall serve West End, and so much of Atlanta as practicable.

Sec. 19. Schools—Teachers, How Many.—The City of Atlanta shall maintain upon the present school lot an eight grade grammar school equal to the other grammar schools in the City of Atlanta, and not less than eight teachers. Said City shall also carry out the present contract made by the City of West End with the teachers now employed by the City of West End, and no change of books, curriculum, or contracts of teachers of the present West End school shall be made until after the Spring Term of 1904. The present teachers, books, and curriculum shall be retained by the Board of Education of the City of Atlanta until the end of the Spring Term of 1894, said teachers being always subject to removal for cause.

Sec. 20. Police Protection.—The present territory of West End shall be by the City of Atlanta furnished with proper police protection, which shall be increased, as occasion may demand as is provided in the other parts of the City of Atlanta.

Sec. 21. Sewers—Four Trunk—Lateral Sewers.—Said City of Atlanta shall herself, out of the public treasury and without private cost to the citizens of the proposed Seventh Ward, build to the present corporate limits of the City of West End four trunk sewers in the territory of West End, called for by the sewer survey of said territory made thereof by the engineer under the direction of the City of West End, and shown by plan or map of the proposed sewers of said territory. Said trunk sewers estimated to cost the sum of \$32,000.00. The sum of \$15,000.00

shall be by the City of Atlanta expended in building said sewers in the year 1894, and the balance as soon as practicable. All other lateral and other main sewers shall be constructed on the same basis and system as to assessment and otherwise as now obtained or may hereafter be provided by the charter of the City of Atlanta.

Sec. 22. Water Mains in Certain Streets—Fire, Sanitary and Domestic Service.—The City of Atlanta shall also, as early as practicable after January 1, 1894, lay water mains in the present territory of West End on Lee Street from West End Avenue to Beecher; on West End Avenue from Lee to Ashby; on Park Street from Peters to Ashby; on Ashby Street from West End Avenue to Baugh; on Oak Street from Peters to Ashby; on Peeples from Porter Avenue to Baugh; on Gordon Street from Lee to Holderness; on Lawton Street from Gordon to Baugh; on Baugh from Ashby to Lee; on Irwin Street from Ashby to Lee; on Peters Street from Park to Oak, from which water shall be supplied for fire, sanitary, and domestic purposes at the same rate as is charged other parts of the City of Atlanta.

Sec. 23. Penalty for Violation of Act of Annexation.—Upon the violation of any of the provisions of this Act, or upon the failure to perform any part thereof, any ten citizens of the territory of West End may enforce compliance therewith on the part of the City of Atlanta by petition for injunction, application for mandamus, or by any other appropriate legal remedy in the Superior Court of Fulton County, or in any other Court having jurisdiction thereof.

CHAPTER III.

EXTENSION OF CITY LIMITS BY AMENDMENT OF
1908—ANNEXING TERRITORY ON ALL SIDES OF
THE CITY—COOK'S DISTRICT—NORTH AT-
LANTA—EAST ATLANTA—EDGEWOOD—
AND SOUTH OF PRESENT LIMITS.—
CONDITIONS.

Sec. 24. General Extension.—That the limits of the City of Atlanta be extended beyond the limits as now defined so as to take in new territory included between the present limits and the following boundary line: Commencing at a point on the Northern line of land lot 109 in the 17th district of Fulton County, where the same crosses the Peachtree Road and running thence East along the North line of said land lot to the North-east corner of said lot; thence South to the South side of the Belt Line Railroad; thence East to the East side of the right-of-way of the Southern Railway; thence Southerly along the East side of the right-of-way of the said railway to a point where same crosses the North line of land lot No. 17; thence due East along the North lines of land lots Nos. 17 and 16 in the 14th district of Fulton County to the County line between Fulton and DeKalb Counties; thence North along said County line to where the same intersects the North line of land lot 241 of the 15th district of DeKalb County; thence East along the North lines of land lots Nos. 241 and 242 of the 15th district of DeKalb County, to the East line of land lot 242 of said district thence Southerly along the East line of land lots 242 and 239 of said 15th district to the corporate limits of the Town of Edgewood; thence Easterly along said corporate limits to the extreme Eastern corner of said Town; thence Southerly along the corporate limits of said Town to a point where same stop South of the railroad; thence Westwardly along the corporate limits of said Town to the East line of land lot 210 of said 15th district; thence South along the East line of said land lot to the South line of the corporate limits of said Town of Edgewood; thence West along said corporate limits to the east line of land lot No. 208 of said 15th district of DeKalb County; thence South along the East line of land lots Nos. 208, 177 and 176 of said district to the South line of said

land lot 176 of said district in DeKalb County; thence West along the South line of land lot No. 176 to the Southwest corner of said land lot; thence North along the West line of said land lot to a point 200 feet South of New Flat Shoals Road or Magazine Street; thence due West to the East line of the right-of-way of the Atlanta & West Point Belt Line; thence in a Southwesterly direction along the Southeast and Southwest boundary of the right-of-way of said Belt Line to the corporate limits of Oakland City; thence Northerly along said limits to the extreme Northeast corner of Oakland City; thence along said limits to where same touch the East line of land lot No. 138; thence North along the line of said land lot and East line of land lot 139 to the Southwest side of the right of way of the L. & N. Railway; thence along the West side of said right-of-way to Gordon Street; thence Northwesterly along Gordon Street or Road to the East line of land lot 173; thence North along the East line of land lots Nos. 173 and 174 to the Northern limits of Battle Hill; thence East along the Northern limits of Battle Hill to the Easterly line or Northeast corner of Battle Hill, and thence due East to the West side of the right-of-way of the L. & N. Railway; thence Northwest along the West side of the right-of-way of said Railroad to its intersection with the East line of land lot 144; thence North along the East line of land lots Nos. 144 and 190 of said district to Marietta St.; thence Southeasterly along Marietta Street to Exposition Street; thence Easterly along Exposition Street to the East side of Carrie Street as shown on the plat of the Jos. E. Brown estate; thence running in a Northeasterly direction along the East side of said Street and across Lee Avenue continuing in a straight line with the East side of Carrie Street to the Howell Mill Road; and thence in a Northerly direction along said road to the Southeast boundary of the right-of-way of the Belt Line; thence Northeasterly along said right-of-way to a point 200 feet North of North Street (also called 14th Street); thence Easterly 200 feet North of North Street (also called 14th Street) to a point 600 feet East of the West line of land lot No. 107 of the 17th district of Fulton County; thence due North to the North line of land lot No. 109 of the last named district; thence due East to the beginning point; Provided, That so much of the territory of the Town of Edgewood as lies South and Southeast of the North and Northwest boundary of the right-of-way of the Georgia Railway and Electric Company, known as the South Decatur line, shall not be included

within the City of Atlanta, as extended by the foregoing provisions, but shall be and is hereby excluded therefrom.

Sec. 25. Repealing Old Ward Lines—West End—6th, 4th and 8th Wards.—That the provisions of the present Charter of the City of Atlanta codified as Section 4 of the City Code of Atlanta of 1899 fixing the limits of West End as the Seventh Ward of Atlanta, and the provisions of said Charter, codified as Section 29 of said Code fixing the limits of the Sixth Ward, and the further provisions of an amendment to said charter, under the Act of 1904, fixing the limits of the Eighth Ward and of Fourth and Fifth Wards, be and the same are hereby repealed and all other provisions of the Charter of the City of Atlanta whereby special districts are set apart as separate Wards and special privileges, representations and local benefits are prescribed therefor be, and the same are, hereby repealed.

Sec. 26. East Atlanta and Edgewood and Copenhill Sections Became Part of City January, 1909.—That the provisions of this Act providing for the annexing of the territory as above described shall become effective on and after January 1, 1910, and all of said territory shall thereafter be included within the corporate limits of the City of Atlanta and all of the residents of said added territory shall thereafter become citizens of the City of Atlanta provided that the provisions of this Act as to the following territory is hereby made effective on January 1, 1909, and the following territory is hereby made a part of the corporate limits of the City of Atlanta and the residents made citizens of the City of Atlanta from and after January 1, 1909: Commencing at the present City limits on the right-of-way of the Southern Railroad where said right-of-way crosses the South line of land lot No. 53 and running thence Easterly along the South line of land lots No. 53 and land lot one (1) of the 14th district of Fulton County, Georgia, to the DeKalb County line; thence Northerly to the line of land lot No. 241 of the 15th district of DeKalb County, Georgia, and thence Easterly along the North line of land lots Nos. 241 and 242 to the Northeast corner of land lot No. 242; thence Southerly along the East line of land lots Nos. 242 and 239 to the present corporate limits of the Town of Edgewood; thence along said limits to the Southeast corner of said Town; thence Westerly along said limits to the East line of land lot No. 208; thence Southerly along the East line of said land lots Nos. 208, 177 and 176 of the 15th district of DeKalb

County, Georgia, to the South line of said land lot No. 176; thence Westerly along the South line of said land lot No. 176 to a point midway between the Southeast and Southwest corners of said land lot; thence North to a point 200 feet South from the Flat Shoals Road; thence continuing in a Northwest direction 200 feet West from Flat Shoals Road to a point 200 feet Southeast of the Magazine or New Flat Shoals Road; thence Westerly 200 feet South of said Magazine Road to the West line of said land lot; thence due West to the present limits of the City of Atlanta; thence in a Northerly direction along the present limits of the City of Atlanta to the point of beginning.

Sec. 27. Edgewood—Special Conditions.—That the City of Atlanta, in taking over the property and territory of the Town of Edgewood, as herein provided, shall agree to the following terms and same are hereby made conditions of said annexations:

1st.—Nothing less than the present Town limits of the Town of Edgewood are hereby made a Ward of the City of Atlanta, but said Ward shall have added to same as much as the Mayor and General Council shall provide in passing ordinances re-adjusting the City of Atlanta and making effective the terms of this Act.

2nd.—The City of Atlanta shall assume all bonded and other debts of the Town of Edgewood and same are hereby made a part of the bonds and debts of the City of Atlanta when the provisions of this Act become effective. All the property, real, personal, choses in action and money belonging to the Town of Edgewood shall become the property of the City of Atlanta to be delivered in the possession and control of its officers on the date the terms of this Act become effective.

3rd.—The City of Atlanta shall maintain an electric light system in the Town of Edgewood, as good as at present provided for, and shall assume all existing contracts of the Town of Edgewood for such purposes; provided, however, that the City of Atlanta shall not assume nor be required to do anything or carry out any contract, under the terms of this Act, that would be in any way unfair or affect its rights to collect from the Georgia Railway and Electric Company the

percentage tax now paid the City by said Company on gross receipts of sale of electric current for light, power and other purposes, under existing ordinances and contracts.

- 4th.—The City of Atlanta shall maintain the two schools now maintained by the Town of Edgewood, but the Board of Education shall have full control over said schools, and are hereby empowered to increase the attendance thereof from other sections of the City, provided, that the present teachers and those elected for the ensuing year are to be retained in said schools during the term for which they have been elected, and also, that the present salaried officer of the Town of Edgewood shall be retained by the City of Atlanta for the remainder of the term for which he has been elected.
- 5th.—The sale of intoxicating liquor is prohibited within the territory now covered by the limits of the Town of Edgewood and the sale of intoxicating liquors shall not hereafter be licensed by the City of Atlanta therein.
- 6th.—The main streets of the Town of Edgewood shall be paved with chert or other pavement, as may be deemed best by the authorities of the City of Atlanta, and City water and sewerage be provided for said streets as soon as conditions will justify.
- 7th.—That the present contracts held by the Town of Edgewood with the Street Railway Company, its successors and assigns, as now maintained as to service and fares, the same being the conditions upon which the franchise of said Railway Company maintain and operate its lines within the limits of the Town of Edgewood shall be and the same are hereby preserved and continued of force, and it shall be the duty of the City of Atlanta to see that the terms thereof are complied with by said Railway Company, and it shall be the duty of the Railway Company to continue its service and fares to the people within the limits of the Town of Edgewood as heretofore fixed by the franchise granted said Railway Company by the Town of Edgewood.
- 8th.—The income of the Town of Edgewood for the year 1908, as collected up to the 1st of January, 1909, may be expended by the present City Council of Edgewood for the support of its electric plant, its schools and upon its streets and in the administrative department of said Town.

Sec. 28. East Atlanta—Conditions.—That the section known as East Atlanta, which is included in the limits as above provided, shall have proper representation in the General Council from the Ward to which it is attached as are other sections of the City; that the City shall pay the obligations now resting on the Board of Trustees by the employment of teachers in the schools now serving said section; that said section shall also have such police protection as other sections of the City of Atlanta now have, looking towards the safeguarding of the homes of the citizens of said section as other parts of the City of Atlanta similarly situated, so as to give water and fire protection as soon as same can be done by the authorities of the City of Atlanta; that adequate school facilities shall be furnished to said section; that sewer and street mains shall be put down in this section as soon as conditions will justify it; that the High Schools of Atlanta shall be open to the residents of this section as soon as said territory becomes a part of the City of Atlanta.

Sec. 29. Part of Land Lot 176—Police Purposes.—That the portion of the Western half of land lot No. 176 in the 15th district of DeKalb County, which portion lies 200 feet West of Flat Shoals Road and 200 feet South of Magazine Road, except that portion of said lot as may be included in any of the terms of the foregoing Sections be, and the same are, hereby incorporated within the limits of the City of Atlanta for police purposes and shall be subject to all the ordinances of the City of Atlanta looking towards the enforcement of peace, good order and health.

Section 30. Edgewood—To Be Part of Ward in 1909.—That the Mayor and General Council of the City of Atlanta shall provide that the territory of the Town of Edgewood within the County of DeKalb, which this Act provides shall become a part of the City of Atlanta on January 1, 1909, on or before said date, whereby said territory shall become one of the Wards of the City together with such added territory as said Mayor and General Council may ordain shall become a part thereof. But this provision shall be subject to the terms of the Section following this whereby it is made the duty of the Mayor and General Council to redistrict the entire limits of the City of Atlanta during the year 1908 so as to adjust same to new limits herein provided for.

Sec. 31. Redistrict City in 1909.—That the Mayor and General Council of the City of Atlanta shall, during the year 1909,

redistrict the territory covered by the old as well as the new limits of the City, being the territory within the limits as prescribed by this Act, and divide same into Wards, not exceeding ten, having reference to population and territory, in order that all sections of the City may be fairly represented in the General Council and each of the Wards as so arranged, shall be entitled to one Alderman and two Councilmen, and likewise, shall be entitled to representations on the Boards and Commissions of the City, as the present and future ordinances may provide. Said Mayor and General Council are hereby authorized to provide, by ordinance, for all changes necessary to re-adjust the City to the new limits for all the purposes of police, fire, sanitation, schools, and any and all other public purposes served or to be served by the City of Atlanta.

CHAPTER IV.

EXTENSION OF CITY LIMITS BY AMENDMENT OF
1909—THE PRESENT LIMITS OF THE CITY.

Sec. 32. General Extension.—The limits of the City of Atlanta be extended beyond the limits as now defined or added to, so as to take in new territory between the present limits and the following boundary line, and to incorporate all the inhabitants within the following territory within the limits of the City of Atlanta: Commencing at a point on the Northern line of land lot No. 109 of the 17th District of Fulton County, where same crosses the Peachtree road, and running thence east along the North line of said land lot to the Northeast corner of said lot; thence South to the South side of the belt line of Southern Railroad; thence East to the East side of the right-of-way of the Southern Railway; thence Southerly along the east side of the right-of-way of the said railway to a point where the same crosses the North line of land lot No. 17; thence due east along the Northern line of land lots Nos. 17 and 16, in the 14th district of Fulton County, to the county line between Fulton and DeKalb Counties, thence North along said county line to where the same intersects the North line of land lot 241 of the 15th District of DeKalb County, thence East along the North lines of land lots 241 and 242 of the 15th District of DeKalb County to the East line of land lot 242 of said District, thence South along the East line of said land lot 242 to the Northwest corner of land lot 238 of said District, thence East along the North line of said land lot 238 to a point directly North of a point on the South line of the right-of-way of the Georgia Railroad and Banking Company, which point is immediately opposite and South of the line between the land of M. H. Hayes and Mrs. S. A. Hull, being a point fixing the boundaries of the Town of Edgewood, under Act approved August 27th, 1906, thence directly South in a straight line to said point on said right-of-way, thence Westerly along the South line of said right-of-way to the center of Clay Street; thence South along the center of Clay Street to the North line of the right-of-way of Georgia Railway and Electric Company; thence in a Westerly and Southerly direction along the North line of said right-of-way to a point 200 feet South of Boulevard

DeKalb, thence West in a line parallel with Boulevard DeKalb and 200 feet South thereof, to the East land lot line of land lot 208 of said 15th District, thence South along the East land lots lines of land lots 208, 177, 176 of said 15th District to the Southeast corner of said land lot 176, thence west along the South land lot line of said land lot 176, to the Southwest corner thereof; thence North along the West land lot lines of said land lots 176 and 177 to a point 200 feet South of Glenwood Avenue; thence Westerly in a line 200 feet South of and parallel with said Glenwood Avenue to the East line of the right-of-way of Atlanta and West Point Railway Company; thence in a Southwesterly direction along the Southeast line of said right-of-way to a point 500 feet East of Hill Street; thence South in a line parallel with Hill Street to the North line of the right-of-way of the Southern Railroad Company; thence Northwesterly along the North line of said right-of-way to a point opposite the South line of Milton Reed Avenue; thence Westerly to and along the South line of Milton Reed Avenue to its terminus, thence Westerly to the South line of Brown Street at its Eastern terminus; thence Westerly along the South side of Brown Street to West land lot line of land lot 56, 14th District of Fulton County; thence North along said West land lot line to the corporate limits of the City of Atlanta as fixed by the Acts of 1908, or the South line of the right-of-way of the Atlanta & West Point Belt Line R. R. Co.; thence in a Westerly direction along the South line of said right-of-way to the corporate limits of Oakland City, thence Southwesterly along said limits to the East line of land lot 120 of the 14th District; thence extending South along the east land lot line of land lots 120, 121 and 122 to a point exactly east of the Southeast corner of Oakland City, thence extending in a straight line in a Westerly direction to said Southeast corner; thence along the corporate limits of Oakland City, being the South and West boundaries thereof to their intersection with the East line of land lot 138, said 14th District; thence North along said East line to the Northeast corner of said land lot 138, thence West along the North line of said land lot 138 to the Northwest corner thereof, thence North along the West land lot lines of land lots 139 and 140, said district, to Gordon Street; thence northwesterly along Gordon Street to West Hunter Street and Westerly along West Hunter Street to West land lot line of land lot 148, said 14th district; thence North along the West land lot lines of land lots 148 and 147 to the Northern boundary of Battle Hill; thence

East along said Northern boundary line to the terminus thereof and thence in a line projecting East in line with said Northern boundary to the West line of the right-of-way of the L. & N. Railway Company, thence Northerly along the West line of said right-of-way to its intersection with the West land lot line of land lot 113, said 14th District; thence north along the west land lot line of land lots 113 and 189, said 14th district, to the South line of the right-of-way of the Western and Atlantic Railroad, thence Southeasterly along the South line of said right-of-way to Marietta road, thence easterly along Marietta road to Brown Street, thence Northerly along Brown Street to Emmett Street, thence East along Emmett Street to Howell Mill road; thence Northerly along Howell Mill road to the South line of right-of-way of Southern Railway Company, thence Northeasterly along the South line of said right-of-way to a point 200 feet North of 14th Street, thence Easterly in a line two hundred feet North of and parallel with 14th Street to a point 200 feet West from the West side of East Street; thence North in a line parallel with East Street and 200 feet West thereof, to a point West of East Street and in line with the North line of Woods Avenue, or 16th Street, if extended thereto; thence east along said projective line and the North line of Woods Avenue or 16th Street, to a point 600 feet east of the West line of land lot 108, 17th District of Fulton County; thence due North to the North line of land lot 109, said 17th District; thence due East to the beginning point.

Sec. 33. Effective January 1, 1910.—The provisions of this Act providing for the annexing of the territory as above described shall become effective on and after January 1st, 1910, and all said territory shall thereafter be included within the corporate limits of the City of Atlanta and all of the residents of said added territory shall hereinafter become citizens of the City of Atlanta.

Sec. 34. Re-Districting New Limits—Representation—Re-Adjustment.—The Mayor and General Council of the City of Atlanta shall, during the year 1909, re-district the territory covered by the old as well as the new limits of the City, being the territory within the limits as prescribed by this Act, and divide same into wards, and not exceeding ten, having reference to population and territory, in order that all sections of the City may be fairly represented in the General Council, and each of the wards as so arranged shall be entitled to one alderman and two

councilmen, and likewise shall be entitled to representation on boards, and commissions of the City, as the present and future ordinances may provide, said Mayor and General Council are hereby authorized to provide, by ordinance, for all changes necessary to re-adjust the City to the new limits for all the purposes of fire, sanitation, schools and any and all other public purposes, served or to be served by the City of Atlanta.

Sec. 35. Authority Extended Over New Limits—Tax Officers—Ordinances.—The power and authority of the City of Atlanta under the present Charter and ordinances and all laws appertaining to the City of Atlanta as a municipality are hereby extended over and made effective in every part of the territory covered and included within the limits as prescribed by the terms of this Act. The power and authority of the officers of the City are made co-extensive with the limits as extended by this Act, and all other rights and powers necessary to carry out and enforce the laws and ordinances governing said City of Atlanta. The power of taxing property and of fixing and regulating licenses for business, to assess, issue executions for, and in cases of default, sell the property upon which taxes are due, as now prescribed by Charter and ordinances of the City of Atlanta, are extended to all the limits included under the terms of this Act. The power of the Board of Health, Police Department, City Tax Assessors and Receivers, Tax Collector, Marshal, Clerk of Council, Recorder, Building Inspector, and all the other officers of the City of Atlanta are extended to the new limits as fully and completely as they now exist within the former limits, under the present Charter, laws and ordinances governing the City of Atlanta, said new territory is likewise made subject to all the bonds heretofore issued by the City of Atlanta, and all bound for the payment of said bonds equally with the former territory of the City of Atlanta.

Sec. 36. Justice Courts Not Extended Over New Limits.—The territorial jurisdiction of the Justice Courts in so much of said City as is contained in the area annexed by this Act, shall not extend to the entire limits of said City, but the jurisdiction of the Justice Courts in the territory so annexed shall be and remain and are hereby limited to their respective districts.

Sec. 37. Election in 1909—Aldermen—Councilmen.—An election shall be held, during the year 1909, at which one alderman

and two councilmen shall be elected from each ward, if vacancies exist as redistricted under Charter amendments of 1908, and this amendment, provided, that no alderman or councilman now serving shall be deprived of the full term of service which he is now serving, provided further, that each alderman and councilman shall continue to serve the City during the balance of his term from the Ward from which he was originally elected in the re-districting of the City, unless this method gives such ward more than one alderman and two councilmen, in which event the alderman and councilmen shall continue to represent such ward as may be provided by ordinance of Mayor and General Council, to the end of his present term. The purpose of this amendment is to provide one alderman and two councilmen for each of the wards of the City, to serve for the terms provided by the existing Charter, except that in the re-districting of the City the foregoing provisions shall be observed as to representation so as to preserve the present terms of aldermen and councilmen. In said elections the citizens from any of the territory annexed under the foregoing provisions shall be eligible to be voted for any positions to be filled in said elections, alderman, councilmen or any other city offices, subject to the restrictions applying to other citizens.

Sec. 38. Oakland City—Assumes Indebtedness—Police Officer.—The City of Atlanta in taking over the territory and property of the Town of Oakland City, shall be bound to the following terms and conditions: 1st. All the indebtedness of Oakland City, existing on January 1st, 1910, shall be assumed by the City of Atlanta, and all the property, real and personal, money, choses in action belonging to Oakland City or any interests it has in such property, shall pass to and vest in the City of Atlanta on January 1st, 1910.

The police officer now serving Oakland City shall and by virtue of this Act, is made a part of, and a member of the Department of Police of the City of Atlanta, on and after January 1st, 1910, at the same pay as the other patrolmen of the said department, and he shall not be required to stand the examination or otherwise conform to the rules, ordinances or Charter provisions governing eligibility or membership in said department, and after said annexation he shall be recognized as a regular member thereof, and shall, also, be credited with the years of service heretofore rendered in Oakland City as if rendered in Atlanta.

and shall receive such honors, positions, pensions and other privileges attending long service, same being based upon his former service in Oakland City, provided, that except as hereinbefore provided, said police officer shall be subject to all laws now in force or which may hereafter be enacted with reference to the Police Department of the City of Atlanta, and to all rules and regulations of said department.

Sec. 39. Amendment of 1909 Annexing Land near Westview Cemetery and on Gordon Street.—That the limits of said City be extended beyond the limits as now defined so as to include and annex thereto the territory included in the following boundary: Commencing at a point on the South line of the West Wood Park Company's property where said South line crosses the West line of land lot 139 of the 14th District of originally Henry, now Fulton County, Georgia, and running thence West along said South line one thousand feet; thence in a Northerly direction and in a straight line to the South-east corner of Westview Cemetery Company's property near Gordon Street; thence northerly and along the line of Westview Cemetery Company's property to the center of Gordon Street; thence Southeasterly and along the center of Gordon Street to the West line of land lot 140 of said district; thence South to the point of beginning.

Sec. 40. Authority and Ordinances Extended Over This Tract—Bound for Bonded Debt of City.—That the power and authority of the City of Atlanta under its present Charter and ordinance and all laws appertaining to the City of Atlanta as a municipality are hereby extended and made effective in every part of the territory covered and included within the limits as prescribed by the terms of this Act. The power and authority of the officers of the City are made co-extensive with the limits as extended by this Act and all other rights and powers necessary to carry out and enforce the laws and ordinances governing said City of Atlanta. The power of taxing property and of fixing and regulating licenses for business; to assess, issue execution for, and in cases of default sell the property upon which taxes are due, as now prescribed by charter and ordinances of the City of Atlanta, are extended to all the limits included under the terms of this Act. The power of the Board of Health, Police Department, City Tax Assessors and Receivers, Tax Collector, Marshal, Clerk of Council, Recorder, Building Inspector, and all

other officers of the City of Atlanta are extended to the new limits as fully and completely as they now exist within the former limits under the present charter, laws and ordinances governing the City of Atlanta. Said new territory is likewise made subject to all bonds heretofore issued by the City of Atlanta and are bound for the payment of said bonds equally with the former territory of the City of Atlanta.

CHAPTER V.

TERRITORY EMBRACED BY CITY FOR POLICE PURPOSES.

Sec. 41. Old Fair Grounds—Land Lots 112 and 150.—All that portion of lot one hundred and twelve (112) in the Fourteenth District of Fulton County, purchased by the Mayor and Council of said City from Chapman Powell; and all that portion of lot one hundred and fifty (150) of the Seventeenth District of Fulton County purchased by said Mayor and Council from E. R. Sasseen and Dorinda A. Sasseen, and three hundred yards in each and every direction around said purchases; and all that territory between the Western and Atlantic Railroad and the country road leading from Atlanta to Marietta, and a line three hundred yards West of said railroad, and running concentric to the said road; and all the land lying between said country road and a line running three hundred yards East of said road, and concentric to the same, from the present corporation line of the City of Atlanta to the old Fair Grounds.

Sec. 42. Ponce de Leon.—Also commencing on the Eastern side of the present City limits, where the Atlanta and Richmond Airline Railway leaves it, and running along said railway to a point four hundred feet beyond the Ponce De Leon Springs, thence in a straight line to where the present City limits crosses the Peachtree Road, and embracing all the territory between the Peachtree Road, this said line, and the said railway.

Sec. 43. Grant Park.—The corporate limits of the City of Atlanta are hereby extended so as to embrace for police purposes that tract or parcel of land known and designated as L. P. Grant Park, being one hundred acres of land lot number 43 in the Fourteenth District of Fulton County, and fifty acres of land in land lot number 114 in the 14th district of Fulton County, owned by said City of Atlanta, and used for sanitary purposes, and the Mayor and General Council of said City are hereby empowered to pass such ordinances for the preservation of peace and good order, and for the protection of such property within said limits as may seem to them proper.

Sec. 44. Regulation of Sale of Spirits and Merchandise in Grant Park and Two Hundred Yards Without.—The Mayor and General Council of Atlanta are hereby empowered to regulate and control under such ordinances as they may adopt the sale of ardent spirits and all kinds of merchandise and refreshments within the limits of said L. P. Grant Park, and for two hundred yards in either direction from said limits.

Sec. 45. Piedmont Park—Gentlemen's Driving Club.—The corporate limits are hereby extended so as to embrace for police purposes that tract or parcel of land known and designated as Piedmont Park, being one hundred and eighty-three acres of land lots 54 and 55, in the Seventeenth District of Fulton County, owned by the Gentlemen's Driving Club and used for park purposes, and the Mayor and General Council of said City are empowered to pass such ordinances for the preservation of peace and good order and for the protection of property within said limits as may seem to them proper.

Sec. 46. Old Water Works.—The tract of land belonging to the City of Atlanta, known as the "old waterworks property," to-wit: 368 15-100 acres in land lots 72, 57, 90, 71, and 58, in the Fourteenth District of Fulton County, is hereby incorporated for police purposes, and the Mayor and General Council of the City of Atlanta, are hereby authorized to provide by ordinance for the maintenance of good order, the preservation of all property on said tract belonging to the City of Atlanta, or to anyone, who may have leased, or shall hereafter lease said lands, or any part of them, from said City of Atlanta, just as if said lands were within the territorial limits of said City of Atlanta.

Sec. 47. Land Contiguous to Old Waterworks.—The corporate limits of the City of Atlanta are hereby extended so as to embrace the following land lots in the 530th District, Georgia Militia, known as Black Hall District, to-wit: Land lots numbers 71, 72, 73, 74, 86, 87, 88, 89, 90, 103, 104, 105, 106, 107, 120, 121, 122 and in Fulton County, Georgia; and said Mayor and General Council are hereby fully authorized and empowered to pass such ordinances in relation to, and over, the territory embraced in such extension as may be proper and necessary for the full, ample, and complete protection of said waterworks and all its appurtenances, as above mentioned, and they shall have full power

and authority to enforce, by penalties, a compliance with, and observance of, such ordinances, and said body, or the Board of Health of said City, may cause to be abated and removed anything which may cause impurity or unhealthfulness of the water from said waterworks.

Sec. 48. West Peachtree Street—Piedmont Park.—For police purposes and for the purpose of regulating the retail traffic in spirituous or malt liquors, the corporate limits of the City of Atlanta are hereby extended so as to include the territory within the limits hereinafter defined, to-wit: Beginning at the point where the regular corporate limits on the North side of the City intersect with the West side of West Peachtree Street, and extending thence Northwardly along the West side of West Peachtree Street or Road to the point where the land lot line between land lots 105 and 106 crosses West Peachtree Road, thence Eastwardly along the land lot line between land lots 105 and 106 to the line of property known as Piedmont Park, and thence following the outer limit of the line of Piedmont Park property to the main track of the Southern Railway Company, formerly the Atlanta & Charlotte Airline Railway Company, and thence along the center of said main track in a Southerly direction to where said main track intersects the corporate limits of said City, on the Eastern boundary of said limits. The plat of the property hereby incorporated for police purposes is attached to this Act, and made a part thereof; Provided, however, that the property included within these limits shall not be subject to taxation; and provided further that the exercise of authority to enforce police regulation within said limits shall be discretionary with the Mayor and General Council of said City.

Sec. 49. Collins Park and Belt Railroad Company—River Line.—The corporate limits of the City of Atlanta are hereby extended so as to include therein for police purposes the tracks of the Collins Park & Belt Railroad Company, and the space of fifty feet on each side of said tracks all the way from the Western limits of the City of Atlanta to the terminus of the tracks of said Company on the Chattahoochee River, including also the pleasure resort at the said terminus.

Sec. 50. New Waterworks.—The Mayor and General Council of said City shall have full power and authority to establish reasonable police and sanitary regulations over the new waterworks

of said City, located at the Chattahoochee River, near the mouth of Peachtree Creek, in Fulton County, and along the pipe-line of said waterworks system, between said River and City of Atlanta, including said pipe line, the reservoirs of said new waterworks system, the water shed, and all lands occupied for the purposes of water supply, and to punish a violation of such regulations by fine or imprisonment, as in case of violations of other ordinances of said City of Atlanta.

Sec. 51. Land Lot 151—East Half of.—The City of Atlanta shall have jurisdiction for police purposes of the East one-half of land lot 151 in the Seventeenth District of Fulton County, Georgia, and said City shall have the power to try and upon conviction in the Recorder's Court of said City to punish all persons guilty of violating the ordinances of said City within the boundaries of said lot of land so incorporated for police purposes.

Sec. 52. Dumping Grounds—Land Between and City Limits—Bellwood Avenue.—The corporate limits of the City of Atlanta shall be extended so as to include ninety-two (92) acres, more or less, of land belonging to the City of Atlanta in land lots one hundred and thirteen (113), one hundred and fourteen (114), and one hundred and fifteen (115), and one hundred and forty-three (143) in the Fourteenth District of originally Henry, now Fulton County, Georgia, said lands being those now known as the Sanitary Dumping Grounds of the City of Atlanta, and also the lands lying between said Dumping Grounds and the corporate limits of the City of Atlanta, and the roads or streets leading from the City of Atlanta to said Dumping Grounds, and especially the roads known as Bellwood Avenue, the extension of Simpson Street, the extension of West Hunter Street, the extension of Ashby Street and Mason's and Turner's Ferry Road, and also any other roads now existing, or which may be opened, leading from the City of Atlanta to said Dumping Grounds, so as to give the Mayor and General Council jurisdiction over said grounds and intervening lands and roads for police and sanitary purposes; and to authorize said Mayor and General Council to make and enforce all ordinances necessary for the preservation of the peace and order and for the protection of the property and employees of the City of Atlanta from molestation, disturbance or injury in the prosecution of the sanitary work of said City in or about said roads and grounds, and to provide by ordinance

for the punishment of persons violating any of said ordinances by fine or imprisonment, upon conviction thereof in the Recorder's Court of the City of Atlanta, such fines not to exceed five hundred dollars (\$500.00), and imprisonment not to exceed thirty days in any such case.

Sec. 53. Hemphill Avenue—Chattahoochee Avenue—Hemphill Station.—The jurisdiction of said City and the territorial limits thereof are hereby extended for police and sanitary purposes over the lands now or hereafter purchased and belonging to the City of Atlanta, known as the New Waterworks site and grounds, including all lands now or hereafter to be owned by the City, in which tract is the pumping station at the Chattahoochee River, and all the lands belonging to said City at and around what is known as the inner reservoir filter or pumping plant, including also a strip of ground along Hemphill Avenue and Chattahoochee Avenue, and three hundred (300) yards on each side of said roads for a distance of three hundred yards all around and on all sides of said inner reservoir and pumping station, from the present limits of the City of Atlanta to the Chattahoochee River at the pumping station, and giving the Mayor and General Council of the City of Atlanta authority to provide by ordinance for the protection of the property of said new waterworks system, and keeping the road aforesaid free from obstructions, and the preservation of the purity of the water in the reservoir, pipes, etc., belonging to said new waterworks, and to have violators of such ordinances punished on conviction thereof in the Recorder's Court of the City of Atlanta, by fine not exceeding \$200.00 and imprisonment not exceeding thirty days, either or both in the discretion of the Recorder, or other officer presiding at the trial of the case in said Court.

Sec. 54. Little Switzerland Included in Corporate Limits.—The following tract of land known as "Little Switzerland," lying Southeast of the present limits of the City of Atlanta, is hereby incorporated within the limits of said City for all police and sanitary purposes, and all the present and any future ordinances of said City shall be of force and effect over said territory, and violations thereof punished by the Recorder's Court; said territory is described as follows: All that tract of land in land lot twenty-two (22) and forty-three (43) of the Fourteenth District of originally Henry, now Fulton County, Georgia, more particularly

described as beginning at a point at the North side of Confederate Avenue, where the present City limits intersects with said Avenue, and running thence in a Southeasterly direction along the North side of said Avenue to a twenty-foot alley, thence along the North side of said alley to a twenty-five foot street, thence along the West side of said street 600 feet, thence West at right angles with said street in a direct line to the City limits, thence Southwestwardly along the present City limits to the beginning point, including what is known as "Little Switzerland."

CHAPTER VI.

MAYOR—MAYOR PRO TEM.

Sec. 55. Election—Vacancies—Mayor Pro Tem.—There shall be elected biennially a Mayor, who shall hold his office for two years. The Mayor in all cases shall hold his office until his successor is elected and qualified, and in the event that the office of Mayor shall become vacant by death, resignation, removal, or otherwise, the Mayor pro tem, or in case his seat is vacant, a majority of the General Council shall order a new election by giving at least ten days' notice in any one or more of the City papers, or at two of the most public places in said City; and said election so held shall be managed in the same manner as the elections to be held in chief, according to the provisions of this Charter; Provided, however, if the office of Mayor shall become vacant at any time within three months of the expiration of his term of office the Mayor pro tem, shall act as Mayor during the balance of said term, and exercise all the rights and powers of Mayor during said term.

Sec. 56. Eligible for Second Term Only—Chief Executive—Salary.—The Mayor is eligible to succeed himself in the office of Mayor for one term only and shall be ineligible to succeed himself after serving two terms; he shall be the Chief Executive of said City; he shall see that all the laws and ordinances of the City are faithfully executed; shall examine and audit all accounts against the City before payment; shall have a salary adequate, to be fixed by the General Council preceding his election, which shall not be changed during his term of office; he shall have power to convene the General Council in extra session, whenever, in his judgment, the exigencies of the case require it.

Sec. 57. Mayor's Court—Fines—Who Preside At.—The Mayor, or in his absence, the Mayor pro tem, shall have full power and authority to hold, at such times and places, and under such rules and regulations as may be prescribed by ordinances, a Mayor's Court, for said City for the trial of offenders against the ordinances of said City, and impose such penalties for viola-

tions thereof as may be prescribed by ordinance, not exceeding five hundred dollars and imprisonment, or labor on public works for thirty days for each offense. The like authority may be conferred upon any one member of the General Council to be regulated by ordinance.

Sec. 58. A Justice of the Peace—Warrants Issued By—Commitment to Jail of County.—The said Mayor shall be, to all intents and purposes, a Justice of the Peace, so far as to enable him to issue warrants for offenses committed within the corporate limits of said City, which warrants shall be executed by the Marshal or Chief of Police; and commit to the jail of the County of Fulton, or to admit to bail offenders, for their appearance at the next Superior Court thereafter, for the County of Fulton; and it shall be the duty of the jailer of the County of Fulton to receive all such persons so committed, and safely to keep the same until discharged by due course of law.

Sec. 59. Presiding Officer—Election of Mayor Pro Tem.—The General Council and Board of Aldermen and the Board of Councilmen shall be presided over by the Mayor pro tem, except at the first meeting in January of each year the Mayor shall preside over the General Council, and administer the oath to the newly elected members, announce the standing Committees for the year, and then the General Council shall proceed to the election of Mayor pro tem. The Mayor shall also preside at the sessions of the General Council during the election of officers.

Sec. 60. No Vote Except in Case of Tie.—The Mayor and the Mayor pro tem, when presiding respectively over the General Council, and Board of Councilmen, as above provided, shall have no vote except in case of a tie.

Sec. 61. Veto or Approval Four Days.—Within four days after the passage thereof the Mayor, or, in his absence the Mayor pro tem, shall approve, or veto, the resolutions, orders, ordinances, or other Acts of the General Council, or Board of Aldermen, or Board of Councilmen, except the election of officers.

Sec. 62. Passing Over Veto.—The General Council may pass the said order, ordinance, or resolution, notwithstanding the veto.

by a vote of two-thirds, to be taken by yeas and nays, and entered on the minutes.

Sec. 63. In Absence of Mayor, Mayor Pro Tem Acts.—In the absence of the Mayor, this power may be exercised by the presiding officer for the time being.

Sec. 64. Oath of Office—When Administered—Standing Committees—Election of Mayor Pro Tem.—At the first meeting in January of each year the Mayor shall preside over the General Council and administer the oath of office to the newly elected members, and announce the standing Committees for the year, and the General Council shall then proceed to the election of a Mayor pro tem.

Sec. 65. Mayor Presides During Election of Officers.—The Mayor shall also preside at the sessions of the General Council during the election of officers, unless absent from the City, or prevented by illness, or other unavoidable causes, in which event, the Mayor pro tem. shall preside.

Sec. 66. Mayor Pro Tem Presiding Over the Board of Aldermen Votes.—The Mayor pro tem., when presiding over the Board of Aldermen, shall vote on all questions coming before that Board for separate action, and shall have no additional vote, in case of a tie in that Board.

Sec. 67. Mayor Ex-Officio Member of the Boards.—The Mayor shall be ex-officio a member of the Board of Police Commissioners, Water Commissioners, Board of Health, and Board of Education.

Sec. 68. Absence of Mayor and Mayor Pro Tem., Who Elected and How.—Whenever it shall so happen that both the Mayor and Mayor pro tem shall be absent or under disability, or in case both of said offices should be for any cause vacant, then, and in that case, the Clerk shall call a special meeting of the General Council for the purpose of considering the same, and, if upon assembling, that body shall by resolution declare that said absence, disability, or vacancy exist, then they shall immediately proceed to elect another Mayor pro tem, who shall succeed to and exer-

cise all the powers and duties of a Chief Executive of said City until the Mayor, or previously chosen Mayor pro tem shall be in condition to resume and does resume the duties, or until the existing vacancy or vacancies, as the case may be, shall be filled in the manner pointed out by law.

Sec. 69. Mayor's Oath of Office.—The oath to be taken and subscribed by the Mayor and members of the General Council of the City of Atlanta, before entering upon the duties of their office, shall be as follows: "I swear that I will faithfully and impartially demean myself as Mayor, Councilman, or Alderman, during my continuance in office. I have not, in order to influence my election to this office, directly or indirectly, expressly or impliedly, promised my vote or support to any person for any office in the City Government of Atlanta, nor for any other office. I will not knowingly permit my vote in the election or appointment of any person to a position in the City Government to be influenced by fear, favor, or affection, reward or hope thereof, but in all things pertaining to my said office, I will be governed by what is my conviction for the public good."

Sec. 70. Qualify Councilmen.—The Mayor, after being so qualified, shall have full power and authority to administer the oath of office to each member of the Board of General Council.

Sec. 71. Penalty for Violation of Oath of Office—Trial—How Heard.—Any person found guilty of violating any of the provisions of the above oath, upon a fair and impartial trial before the Mayor and General Council of said City, shall be forthwith expelled from office, and forever disqualified thereafter from holding any position of honor, trust, or emolument connected with the City Government of Atlanta.

CHAPTER VII.

LEGISLATIVE DEPARTMENT.

Sec. 72. Legislative Department—Style of.—The Legislative Department of said City shall be vested in the Mayor, Board of Aldermen, and Board of Councilmen. The Mayor and Board of Councilmen shall be styled the Mayor and Council; and the Mayor and Board of Councilmen meeting with the Board of Aldermen, or acting and meeting on separate days, but on any matter requiring the concurrent or separate action of both the Board of the Councilmen and Board of Aldermen, shall be styled the Mayor and General Council.

Sec. 73. Aldermen not Required to Act Separately, Except.—The Board of Aldermen shall not be required to meet or act as a separate Board on any matters in said City, except as hereafter provided.

Sec. 74. Number of Councilmen for Each Ward.—Two Councilmen shall be elected from each Ward by the voters qualified to vote for the members of the General Assembly, to serve for two years.

Sec. 75. Annual Elections.—The elections shall be annual, so that one-half shall go out every year.

Sec. 76. Aldermen—Number.—There shall be one Alderman from each Ward. (Terms are three years).

Sec. 77. When Ineligible to Succeed Themselves.—Councilmen are hereby declared to be eligible to succeed themselves for one term; in such event, such councilman shall be ineligible to succeed such service by serving in the position of aldermen. Councilmen may succeed themselves by election to the position of aldermen and aldermen are likewise eligible to succeed themselves by election to the position of councilmen, but the added service shall not secure to any one alderman a longer term of continual service than five years.

Sec. 78. General Council—How Composed.—The Councilmen representing the different Wards, and the Aldermen representing the different Wards shall constitute the General Council of the City, and shall have all the powers vested in the Mayor and Council of the City of Atlanta.

Sec. 79. Aldermen Can Succeed Selves One Term, Yet Limited to Six Years.—That the provision of the charter of the City of Atlanta whereby aldermen are authorized to succeed themselves as councilmen but are ineligible to succeed themselves in the position of aldermen, are hereby further extended so that an aldermen shall hereafter be eligible to succeed himself in the position of alderman, for one term and, that the continuous service, under this amendment, be limited to six years and an alderman, succeeding himself in the position of alderman, shall be ineligible, at the end of such continuous service, for either the position of councilman or alderman, provided, that after the interval of one year, those who have filled such offices are eligible for said positions, with the usual rights of successorship.

Sec. 80. Election—Salaries.—They shall be elected by general ticket, and shall have annual salaries of three hundred dollars each. This compensation shall not be changed during the term for which they are elected.

Sec. 81. Removal from Ward—Vacancy By.—In any and all cases, in which any person has been heretofore or may be hereafter elected by popular vote, or be elected or appointed by the Mayor and General Council of said City of Atlanta, or by any Board, Commission, or Department of said City Government, to any office or official service for, or to serve or represent any Ward of said City, and any such person so elected or appointed to represent or serve, has heretofore, or shall hereafter remove from the Ward from or for which he was so elected or appointed to represent or serve, the fact or act of such removal shall thereby create a vacancy in such official service, and such vacancy shall be filled as in other cases of vacancy in office in said City.

Sec. 82. Quorum of General Council.—Eleven shall constitute a quorum of the General Council of the City of Atlanta for the transaction of business.

Sec. 83. Quorum of Councilmen.—A quorum of the Board of Councilmen shall consist of a majority of all the members thereof.

Sec. 84. Quorum of Aldermen.—A quorum of the Board of Aldermen shall consist of a majority of all of the members thereof.

Sec. 85. Minority—Powers of—Absentees—Attendance Compelled.—In all cases a less number may adjourn from time to time, and compel the attendance of the absentees.

Sec. 86. Separate Action—Indebtedness—Expenditure.—In all votes, resolutions or ordinances having for their object the increase of the indebtedness of the City, or the expenditure of its revenue, except appropriations for the payment of its salaried officers, the Councilmen representing the different Wards, and the Aldermen representing the City at large, shall act as separate and distinct legislative bodies; and no vote, resolution or ordinance having for its object the increase of the indebtedness of the City, or the expenditure of its moneys, or authorizing the sale of any part of the public property of the City, or the granting of franchises for street railroads or railways, or telephone companies, or telegraph companies, or electric or gas companies, or any other similar franchise where the streets or public alleys are to be used for any purpose in the prosecution of the business of the company seeking the franchise, shall be voted until the same shall have received a majority of the votes of a quorum of each of those legislative bodies, separately cast.

Sec. 87. Aldermen No Vote in General Council, When.—The Aldermen shall have no vote upon such questions, when originally presented and voted on by the Councilmen as aforesaid, but shall meet as a separate body and vote on the same.

Sec. 88. Notice to Reconsider—One Alderman—Two Councilmen.—When any such vote or resolution is passed, any one Alderman or two Councilmen may give notice of a motion to reconsider, which motion in either case shall operate to delay the question until said consideration can be acted upon at the next regular meeting, the meeting of said Aldermen to be presided

over by the Mayor pro tem, and the City Clerk shall keep the minutes as in meeting of the General Council.

Sec. 89. Joint Board on all Matters but Franchises, Public Property or Expenditures.—In all other matters they shall act as a joint Board.

Sec. 90. Yeas and Nays—Who Call—How.—Each member of the General Council shall have the right to call for the yeas and nays and have the same recorded on the minutes in all cases, whether sitting in General Council or as separate bodies.

Sec. 91. Sessions of General Council.—The regular sessions of the Mayor and General Council shall be held on the first and third Monday in each month, and continue from day to day in their discretion.

Sec. 92. General Powers—General Welfare—Peace—Order—Good Government.—The said Mayor and General Council shall have full power and authority to pass all by-laws and ordinances respecting public buildings and grounds, workhouses, public houses, carriages, wagons, carts, drays, pumps, wells, springs, fire-engines, care of the poor, suppression of disorderly houses, houses of ill-fame for the prevention and punishment of disorderly conduct and conduct liable to disturb the peace and tranquility of any citizen or citizens thereof, and every other by-law, regulation, and ordinance, that may seem to them proper for the security of the peace, health, order, and good government of said city.

Sec. 93. Cemeteries—Contiguous — Police Control.—The Mayor and General Council of said City shall have power to exercise reasonable supervision and police control over all cemeteries contiguous to the City, and used by the citizens for interment, whether located within the City limits or not, so as to allow no burial within the same without a permit from said City authorities.

Sec. 94 No New Cemetery Within Four Miles—Penalty for Violation.—No new cemetery shall be opened or used, which is within four (4) miles of the center of said City, and any person

or persons, company or corporation, or agent of any such company or corporation, who shall open or use any such new cemetery within four (4) miles of the center of said City, shall be guilty of a misdemeanor, and on conviction thereof shall for each offense be fined not exceeding one thousand (\$1,000.00) dollars, or imprisonment not exceeding twelve (12) months, one or both, in the discretion of the Court, and any attempt to open or use any such new cemetery within four (4) miles of said City, shall also be subject to be enjoined by the Superior Court under penalty.

Sec. 95. Fire Escapes—Character—Material—Owner—Lessee.—The Mayor and General Council of the City of Atlanta are hereby authorized and empowered whenever, in their judgment, the same is necessary for the safety and protection of human life, to require the owner, agent, lessee, or tenant in possession of any building in said City, to place thereon fire escapes of such character and material as may be by said Mayor and General Council deemed requisite.

Sec. 96. Failure to Comply—Penalty—Regulation.—After notice to place fire escapes on any building, and failure within the time specified to place the same, the owner, agent, lessee, or tenant in possession, who shall have been served with such notice, shall be subject to a fine or imprisonment, or both, as provided by the Charter of said City, and ordinance passed in pursuance thereof. Said Mayor and General Council shall have power to prescribe by ordinance for the regulation of the placing of fire escapes on buildings in said City requiring the same, as to notice, time within which to place the same after notice, and otherwise.

Sec. 97. Penal Ordinances—Five Hundred Dollars Fine—Thirty Days in Prison—Alternative Sentence.—The said Mayor and General Council shall have power and authority to prescribe, by ordinance, adequate penalties for all offenses against the ordinances of said City, and to punish offenders by fines, not exceeding five hundred dollars, and imprisonment in the calaboose, not exceeding thirty days, for each offense; to enforce the payment of fines by compelling offenders and those who fail or refuse to pay said fines, to work on the streets or public works of said City. They shall have power to compel offenders, sen-

tenced to imprisonment in the calaboose, as aforesaid, to labor on the public works or streets, to be regulated by ordinance.

Sec. 98. Two Readings of Ordinances at Different Meetings—Two-thirds Vote for Passage at the Same Meeting of General Council.—All ordinances requiring action by the Mayor and General Council in joint session shall undergo one reading each at two different regular, or special, or called meetings, or at one regular and one called meeting, before adoption, except that by a two-thirds vote of the members present, an ordinance may be read twice at the same regular, called, or special meeting, and adopted. All ordinances requiring action by the Mayor and Council and Board of Aldermen separately, shall undergo one reading each, at two different regular, or special or called meetings of the Mayor and Council, or at one regular and one called meeting, before adoption, except that by a two-thirds vote of the members thereof present, an ordinance may be read twice at the same regular, called, or special meeting, and adopted.

Sec. 99. Ordinances—How Read in Board of Aldermen.—An ordinance requiring separate action and concurrence by the Board of Aldermen shall undergo such reading only in said Board as said Board may by rule prescribe.

Sec. 100 Contracts with City by Members of Council Illegal—Penalty.—It shall not be lawful for any member of the General Council to be interested, either directly or indirectly, in any contract with the City of Atlanta, the Mayor and General Council, or any one or more of them, having for its object the public improvement of the City, or any part thereof, or the expenditures of its moneys. Any violation of this Section by any member of the General Council, shall, on conviction thereof, be punished as prescribed in Section 4310 of the Code of this State (being Section 1039 of Criminal Code of 1895).

Sec. 101. Office Held Until Successor Qualified.—Each member of the General Council shall, in all cases, hold his office until his successor is elected and qualified.

Sec. 102. Vacancies in Boards of Aldermen and Councilmen—How Filled—Notice—Election.—In case a vacancy shall occur, either in the Board of Aldermen or in the Board of Council-

men, by death, resignation, removal, or otherwise, the Mayor, or, in case his seat is vacated, the Mayor pro tem, or a majority of the General Council, shall order a new election by giving at least ten days' notice in one or more of the City papers, or at two or more of the most public places in said City; and said election, so held, shall be managed in the same manner as the election to be held in chief, according to the provisions of this Charter on the subject of elections.

CHAPTER VIII.

ELECTIONS.

Sec. 103. Elections by Mayor and General Council—When Held.—All persons holding office under elections or appointment by the Mayor and General Council shall be elected or appointed at the first meeting in July biennially. (Changed as to several offices).

Sec. 104. Removal.—All such officers are subject to removal for cause, as herein provided.

Sec. 105. Election Commissioners—When Appointed.—At the first meeting of the Mayor and Council in the month of July, 1874, they shall appoint, and every two years thereafter the said Mayor and Council shall appoint three Commissioners for each Ward, freeholders residing therein, to hold the elections in said Ward; and in case of vacancy from removal or otherwise, the Mayor and Council, or Mayor and General Council, as the case may be, shall supply the same. The Mayor and General Council, in their discretion, authorized to increase the Board of Election Managers from and for the several Wards from the present number of three to any additional number desired.

Sec. 106. Term of Office—Authority of.—The said Commissioners shall hold all City elections in their respective Wards. They shall be judges of the qualifications of voters, shall have such clerks as they deem necessary to hold elections, to be selected by them for each Ward, and such Commissioners shall serve for such reasonable compensation as shall be prescribed by the Mayor and General Council. These Commissioners shall hold their office for two years, unless removed for cause, as aforesaid.

Sec. 107. Clerks for Elections to Get Compensation.—The clerks shall have such compensation as may be allowed by the Mayor and Council, or Mayor and General Council, as the case may be.

Sec. 108. Vacancies in Board of Election Commissioners—

How Filled.—All vacancies in said Board of Election Commissioners shall be filled by the said Mayor and Council, or Mayor and General Council.

Sec. 109. Elections—How Conducted—Freeholders—One or More Commissioners Present.—If by 10:00 o'clock A. M. on the day of election, a majority of said Commissioners fail to attend at any voting place, and proceed to hold the election as herein provided, any three freeholders of the Ward may hold and conduct the same: Provided nevertheless, that nothing herein contained shall be construed to hinder or prevent any one or more of said Commissioners from acting as manager or managers, should they be present at the voting place, supplying the number of managers required by this Charter from any of the freeholders of the Ward.

Sec. 110. Oath of Commissioners.—The election Commissioners provided for in the preceding Section, or freeholders acting in their stead as above, shall take the oath, and conduct the elections, and make returns to the Mayor and Council, if prior to January 1, 1875, or if thereafter, to the Mayor and General Council, in the manner prescribed by law for the election of members of the General Assembly.

Sec. 111. Returns—Result Declared.—The Mayor and Council, or the Mayor and General Council, shall consider the returns and declare the results.

Sec. 112. Contests—How Tried.—All cases of contested elections shall be tried by the Mayor and Council, or the Mayor and General Council.

Sec. 113. Two or More Voting Places in Each Ward.—The Mayor and General Council of said City are hereby authorized and empowered in their discretion to establish two or more voting places in each Ward of said City.

Sec. 114. Voters—Qualifications—Voting Place.—No person shall vote either for Mayor or Aldermen or Councilmen, or at any other City election, elsewhere than in the Ward in which he resides, and the other qualifications of voters shall remain as now fixed by law.

Sec. 115. Voting more than Once—Penalty.—Any person voting, or attempting to vote, more than once, at any City elec-

tion, provided for by this Act, or by other law, and every person voting, or attempting to vote, in violation of this Act, or other law providing for the City election, shall be guilty of misdemeanor, and upon indictment or accusation and conviction, shall be punished, as provided for in Section 1039 of the Criminal Code of Georgia, 1895.

Sec. 116. City Attorney—Chief of Construction—Tax Collector—Treasurer—Election of—When Held.—The City Attorney, Chief of Construction, Tax Collector, and Treasurer, of the City of Atlanta, shall be elected by the qualified voters of said City; Provided, this Act shall not interfere with the power of the Mayor and General Council, given by existing laws, to abolish the office of Marshal, or to consolidate the office of Marshal and Tax Collector, in their discretion, nor with the power given by existing law to consolidate any of the other offices provided for by the Charter of said City with the office of Comptroller. The first election of said officers under this Act shall occur on the first Wednesday in December, 1894, at the time of the election of the Mayor, Aldermen and Councilmen, and shall be for a term beginning on the first Monday in July, 1895, and ending on the first Monday in January, 1897; and all subsequent elections of such officers shall be held with the election for Mayor, Aldermen and Councilmen, or for Aldermen and Councilmen occurring next before the end of the term of office of any of said officers, and shall be for a term of two years beginning on the first Monday in January following such elections.

Sec. 117. General Manager Waterworks—Marshal—Comptroller—Warden—Electrician—Building Inspector—Recorder and Clerk of Council to be Elected by People—Subject to Removal—Duties Fixed by Ordinance—Terms.—That the following officers, to-wit, General Manager of Waterworks, City Marshal, City Comptroller, City Warden, City Electrician, Building Inspector, Recorder and Clerk of Council shall hereafter be elected by vote of the people and successors, to the officers now filling said positions, each of which positions are hereby made chartered offices of said City, shall be elected by the qualified voters of said City on the first Wednesday in December, preceding the expiration of the terms of said officers, when so elected, each of said officers shall hold their positions for the term of two years except Recorder whose term of office is hereby fixed for four years. Bi-annually, after the date of their first election,

under the terms of this Act, their successors shall likewise be elected, except Recorder, whose successor shall be elected four years after the date of his election under this Act. The beginning of the terms of said several officers shall remain as now fixed but the date of election shall be as herein provided. The Mayor and General Council shall have general supervision of said officials and, by majority vote of the entire Council, may declare vacant the office of any of the officials of the City, elected by the people, for a failure to properly perform their duties, or for any other breach of duty, on their part, all to be adjudged in the discretion of the General Council. When an office has been declared vacant, under this provision, the General Council shall call an election to be held within sixty days thereafter, to fill such vacancy, and in the meantime the General Council or the board having charge of the department, in which such officer serves, shall temporarily fill such vacancy.

The duties of such officers shall be as now or hereafter prescribed by ordinances and, before entering upon the discharge thereof, they shall each take oath of office, before some officer authorized to administer same, to faithfully perform the duties of their respective offices.

Sec. 118. Vacancies in These Offices—How Filled.—The Mayor and General Council of the City of Atlanta shall have power and authority to fill by election any and all vacancies occurring in the ministerial offices of said City, required to be elected in the first instance by the qualified voters of said City. (except as provided in preceding section.)

Sec. 119. Removal from Office.—The officers of the City, whether elected by the people or otherwise, shall be subject to removal from office by the Mayor and General Council for cause, according to the provisions of the Charter now in force.

Sec. 120. Registrations—Tax Collector of Fulton County City Registrar.—The Mayor and General Council of said City shall have full power and authority to provide for the registration of voters prior to any municipal election in said City; to make all needful rules and regulations for the same, and require that no person be permitted to vote unless registered; to constitute and appoint the Tax Collector of Fulton County to the office of Registrar of said City; to fix his compensation as such registrar, and, when so appointed, to require him to perform the duties of said office.

CHAPTER IX.

TAXATION.

Sec. 121. Tax Ad Valorem.—For the purpose of raising revenue for the support and maintenance of said City Government, the said Mayor and General Council shall have full power and authority, and they shall provide by ordinance for the assessment, levy, and collection of an ad valorem tax on all real and personal property within the incorporate limits of said City, not exceeding one and one-fourth per cent. thereon, which shall include the school tax, which, under the laws of this State, is subject to taxation; Provided, nevertheless, that all assessments of real property shall be made at the cash market valuation.

Sec. 122. Street Tax in Lieu of Road Duty.—All persons liable to perform road duty by the laws of the State shall be liable and subject to work on the streets of said City under the direction and control of the proper officers of said City; Provided, that the Mayor and General Council of said City shall have power to levy a street tax in lieu thereof.

Sec. 123. Defaulters—Penalty.—All persons, who shall refuse to pay said tax on or before such day as said Mayor and General Council, by ordinance, may require, shall be required, upon three days' notice, to do and perform street work, as aforesaid, and upon failure thereof, such defaulter shall be liable to be dealt with by the Mayor and General Council as for violations of other ordinances of said City, or may be compelled to work on the public works of said City.

Sec. 124. May Levy Extraordinary Tax Not Exceeding One-Half of One Per Cent—When Collected.—In addition to the ordinary tax herein allowed, the Mayor and Councilmen and Aldermen may, in case of emergency, to be judged of by them, levy an extraordinary tax, not exceeding one-half of one per cent. (on the taxable property of said City), the said extraordinary tax to be added to the ordinary tax, and collected at the same time, and used for the same purpose.

Sec. 125. Registration Tax on Business and Avocation—Limit Three Hundred Dollars.—The Mayor and General Council shall have full power and authority to require any person, firm or corporation or company, engaged in, prosecuting, or carrying on, or who may engage in, prosecute, or carry on any trade, business, calling, avocation or profession, to register their names and business calling, avocation, or profession annually, and to require such person, company, or association, to pay for such registration and for license to engage in, prosecute, or carry on such business, calling or profession aforesaid, such fee, charge, or tax, as said Mayor and General Council may deem expedient for the safety, benefit, convenience, and advantage of said City, said tax, registration fee, or license herein provided for shall not exceed the sum of three hundred dollars.

Sec. 126. Provision Above, Exceptions To.—The provisions of this Act in no wise interfere with or repeal Sections 27, 28, 29, 30, and 31 of an Act to establish a new Charter for the City of Atlanta, approved February 28, 1874, which said named Sections refer to and authorize said City to levy and collect tax on the retail of ardent spirits, theatrical companies or performances, or other exhibitions, billiard tables, ten-pin alleys, nine-pin alleys, or alleys of any kind, etc., brokerage business, pawn-brokers, and itinerant traders.

Sec. 127. Classification of Business for Taxation.—Said Mayor and General Council are hereby given authority to classify business, and arrange the various business, trades, and professions carried on in said City, into such classes of subjects for taxation as may be just and proper: Provided, that nothing herein contained shall be construed to authorize the levy of a tax upon any profession not taxable under the general tax act.

Sec. 128. May Tax Business of Selling Watches, Clocks, or Jewelry at Auction \$1,000, with Provisos.—The Mayor and General Council of the City of Atlanta shall have authority in their discretion to require the payment of a registration tax of not exceeding one thousand (\$1,000.00) Dollars per annum on the business of selling watches, clocks, jewelry at auction in said City; Provided, that, when the registration tax on such business shall exceed two hundred dollars (\$200.00) per annum, no ad va-

lorem tax shall be charged to the dealer paying such registration tax on the stock carried by him; Provided, further, that when such dealer is relieved from the payment of ad valorem tax on his stock, the registration tax shall not in any case be less than the ad valorem tax on the assessed value of his stock would amount to.

Sec. 129.—License Fee or Tax on Insurance Agents—One Per Cent. on Premiums.—The Mayor and General Council of said City are hereby empowered to charge a license fee or tax upon all insurance agents, including all companies for whom they do business, of one per cent. on all premiums received by or sent through the office in said City.

Sec. 130.—May Tax Itinerant Traders.—The said Mayor and General Council shall have the power to levy and collect from itinerant traders, who may, directly or indirectly, by themselves or others, sell any goods, wares, or merchandise in said City, such tax as to them may seem proper.

Sec. 131. Tax on Brokerage Business—Limit Three Hundred Dollars.—The said Mayor and General Council shall have full power and authority to assess a tax on such persons carrying on the brokerage business in said City, of not more than three hundred dollars per annum, in addition to all other tax they may be required to pay.

Sec. 132. May License Pawn-Brokers—Impose Taxes—Revoke Licenses—Exercise Superintendence.—They shall have power to license pawn-brokers within their respective jurisdiction, define by ordinance their powers and privileges, to impose taxes upon them, to revoke their licenses and generally to exercise such superintendence over pawn-brokers as will insure fair dealing between them and their customers.

Sec. 133. May License Theatrical Companies—Shows—Exhibitions—Limit of License Five Hundred Dollars.—The said Mayor and General Council shall have power to pass such ordinances as they may think proper in regard to granting license to theatrical companies or performances, or for shows, or for other exhibitions; Provided, the price to be paid for such license when

granted shall not exceed five hundred dollars for each performance or exhibition.

Sec. 134. May License Sale of Lager Beer—Limit Retail and Wholesale.—The said Mayor and General Council shall have full power and authority to prohibit the selling of lager beer, or other fermented drinks, without the obtaining of a license for that purpose; Provided, the owner or keeper of each house or saloon kept for that purpose at retail shall be required to pay the sum of four hundred dollars for license for one year, and at wholesale shall be required to pay the sum of five hundred dollars for license per annum.

Sec. 135. May License Billiard Tables—Ten-Pin Alleys—Limit of License Fifty Dollars Per Table or Alley.—They shall have full power and authority to license billiard tables and ten-pin alleys, and all billiard tables kept or used for the purpose of playing, gaming, or renting, and all ten-pin alleys, nine-pin alleys, or alleys of any kind, which are kept or used for the purpose of playing on with pins or balls, or either, for the purpose of renting the same, and charge for said license a sum not exceeding fifty dollars on each table, alley, or track.

Sec. 136. May License Retail or Ardent Spirits—Limit of License Two Thousand Dollars.—The said Mayor and General Council shall have power and authority to regulate the retail of ardent spirits within the corporate limits of said City, and at their discretion to issue license to retail or to withhold the same, at the fixed price of two thousand dollars.

Sec. 137. Selling Without License—Penalty.—They shall have power and authority to pass and enforce ordinances providing for the punishment of persons selling spirituous, malt, or other intoxicating liquors at wholesale or retail within the corporate limits of said City without having obtained licenses from said Mayor and General Council, or for selling such liquors after the expiration or revocation of such licenses.

Sec. 138. May Regulate Wholesale of Ardent Spirits.—The Mayor and General Council of said City shall have the power and authority to regulate the sales of liquors at wholesale in

said City, and the price to sell liquors at wholesale in said City is hereby fixed at the sum of one thousand dollars.

Sec. 139. Sanitary Tax—Limit Three Dollars Per Lot Per Annum.—The Mayor and General Council of said City are hereby authorized to make an assessment of the various lots of land and lot owners in said City for sanitary purposes, not to exceed three dollars per annum on each lot assessed, and said Mayor and General Council are hereby authorized and empowered to collect the same by execution against the lot so assessed and the owner thereof; the amount so assessed shall be a lien on the lot from the date of assessment. The executions shall be issued and enforced in the same manner that tax executions are issued and enforced in said City. The amount so collected shall be used for sanitary purposes only.

Sec. 140. What Constitutes a Lot for Sanitary Tax Assessment.—Said Mayor and General Council shall have power and authority to prescribe what shall constitute a lot for sanitary purposes and assessment, provided no lot shall be less than twenty-five feet front; Provided, that this assessment shall not be made on vacant lots, and resident lots shall not be subdivided for assessment except where the resident lots have two or more houses used or intended for use as separate tenements built upon them, in which case a sanitary assessment may be levied against the lot for each house situated thereon.

Sec. 141. Taxes—When Due—How Collected—Three Installments—Executions—Discounts Allowed—Interest.—The taxes due the City of Atlanta on the real estate and personal property of all kinds taxable under the laws of Georgia, and the Charter of said City, shall be due and payable in three installments of equal amounts of one-third each, the first installment falling due on April 15th, the second on July 1st, and the third on October 15th of each year, and on these dates one-third of the taxes assessed under the existing provisions of said Charter shall be due and payable and on failure to pay said several installments when due, same shall bear interest at the rate of seven per cent. (7 per cent.) per annum, and if same are not paid on or before the 15th of October of each year execution shall issue therefor and shall be collected as now provided. A discount of one and one-

half per cent. ($1\frac{1}{2}$ per cent.) will be allowed upon the total of annual taxes if paid on the date when the first installment is due, as herein provided. A discount of one and one-half per cent. ($1\frac{1}{2}$ per cent.) will be allowed upon the last installment of one-third of the annual taxes if same is paid on or before the time fixed for the payment of the second installment, as herein provided.

Sec. 142. Street Tax—When Due—If Unpaid, How Enforced.

—The commutation tax in lieu of road or street duty provided for in said Charter shall fall due with the second installment of property-taxes in each year, and in case of failure to pay such commutation tax, execution may issue and be enforced as from the 16th day of June in each year, and parties, who have not paid such commutation tax, and who are liable to road duty, may be compelled to work the streets in the manner provided for by the Charter and ordinances of the City of Atlanta at any time after the first day of July in each year.

Sec. 143. No Special Tax for Public Schools—How Maintained.—No special tax shall be levied and collected for school purposes in said City, but the expense of carrying on said system of public schools shall be paid out of the City Treasury under such rules as may be prescribed by ordinance.

Sec. 144. May Cover License Fees Into Treasury.—The Mayor and General Council are further authorized in their discretion to prescribe and collect fees for the issuing of business licenses or executions, either or both, and for the collection of executions, and to provide for the covering of all such fees so prescribed and collected into the Treasury of said City as the property of the City of Atlanta.

CHAPTER X.

CITY TAX ASSESSORS AND RECEIVERS.

Sec. 145. City Tax Assessors—Their Election.—The Mayor and General Council shall have full power and authority to elect biennially on the first Monday in July three persons, freeholders, residents of said City, as City Tax Assessors and Receivers, who shall hold their office as prescribed in the 20th Section of this Act (1874), unless removed by the Mayor and General Council for cause, to be judged of by them.

Sec. 146. Duties of the Above Officers.—It shall be the duty of said Assessors to assess the value of all real estate at the cash market valuation, within the corporate limits of said City, and to make a return to the said Mayor and General Council, as provided by Section 35 of the Act of 1874, and the Tax Assessors and Receivers of said City shall enter the same in their books with other taxes, and the same shall be collected as other taxes of said City.

Sec. 147. Oath of Office.—The said Assessors and Receivers, before they enter on the discharge of their duties, shall take and subscribe an oath before the Mayor faithfully and truly to assess all the real estate within the corporate limits of said City, and to return such assessment to the Mayor and General Council thereof, with the names of the owners thereof.

CHAPTER XI.

COLLECTION OF TAXES.

Sec. 148. Tax Collector—When and How Elected.—There shall be elected by the people at the same time the other City officers are elected a Tax Collector for said City, who shall hold his office, as prescribed in the 10th Section of the Act of 1893 (Sec. 117) unless removed for cause, to be judged of by the Mayor and General Council.

Sec. 149. Office Distinct from Assessors and Receivers.—The office of Tax Collector of said City shall be separate and distinct from that of Tax Assessors and Receivers.

Sec. 150. Duties of Tax Collector.—The Tax Collector shall collect the tax of said City under such rules and regulations as may be prescribed by ordinance, and shall perform such other duties, in connection therewith or incident thereto, as may be prescribed by ordinance, not in conflict with this Act and the Charter of said City.

Sec. 151. Any Other Officer May be Required to Perform Duties as Prescribed by Ordinance.—To carry out the purposes of this Act (1889), said City may by ordinance require of any officer of said City the performance of any duty deemed necessary or proper thereto.

Sec. 152. Tax Collector Shall Give Bond.—The Tax Collector shall give bond and good security, to be fixed and judged by the said Mayor and General Council, payable to the City of Atlanta, for the faithful discharge of his duties.

Sec. 153. Compensation of Tax Collector.—He shall receive for his services such compensation as the Mayor and General Council next preceding his election shall prescribe, which shall not be increased or diminished during his continuance in office. (Vacancy filled by Council as in case of other offices).

Sec. 154. Oath of Office.—Before entering upon the discharge of his duties, he shall take and subscribe an oath before some officer authorized to administer it, to faithfully discharge the duties of his office. His duties shall be prescribed by ordinance.

Sec. 155.—Failure of Tax-Payers to Return—Penalty.—In all cases of failure to return property, real, personal or otherwise, for taxation by the 15th of March of each year, a penalty of ten per cent. shall be added to the value of the property of such defaulting owners, for taxation, ascertained by the return of the previous year or otherwise; and by failure to return by the 15th day of March of each year, for street, railway, or capitation tax, the penalty shall be double tax.

Sec. 156. Mayor and General Council May Relieve from Penalty.—The Mayor and General Council shall have power to relieve against the penalty for failure to return within the time provided, where the failure and omission are due to unavoidable or sufficient cause.

Sec. 157. Notice of Closing Tax Books Published—Insertions—How Many.—Notice of the time of closing the books for receiving returns shall be published in any one or more of the daily papers of said City, for at least four insertions, between the 1st and 15th of March of each year, and oftener, if deemed necessary by the Mayor and General Council. (Act of 1896 changes time of closing books for tax returns to March 15).

Sec. 158. City Tax Deeds Admitted in Evidence Like State Tax Deeds.—Deeds made by the City of Atlanta, or its Mayor, or its Marshal, pursuant to tax sale or sales under executions issued for the collection of local assessments, shall be admissible in evidence on the same terms as deeds made pursuant to sales for taxes due the State and County; Provided, that it shall be competent for parties denying the validity of such tax deeds or assessment deeds to put in evidence the proceedings preliminary to the execution of such deeds. The purpose of this Act (1898) is to give City tax deeds and City assessment deeds the same prima facie force and validity, which is accorded to tax deeds made by officers of the State and County.

CHAPTER XII.

CITY MARSHAL.

Sec. 159. Marshal—How Elected—When.—There shall be elected by the people at the same time the other City officers are elected, a Marshal who shall hold his office as provided in the 6th Section of the Act of 1893, unless removed for cause, to be judged of by the Mayor and General Council.

Sec. 160.—Marshal Entirely Distinct from Police Force.—He shall be separate and distinct from the police force of the City.

Sec. 161. Duties of Marshal.—It shall be his duty to collect or levy *fi fas* for taxes and *fi fas* for fines, and sell property so levied on, and make titles to purchasers, and put them in possession of the property so sold at sales, under laws governing the said Mayor and General Council, under the same rules and regulations, that govern the Sheriff and his deputies at Sheriffs sales.

Sec. 162. He Shall Give Bond.—He shall give bond to said City, with good security, for the faithful discharge of his duties.

Sec. 163. Compensation.—He shall have such compensation and perquisites as the General Council shall prescribe, which compensation shall not be changed during his term of office.

Sec. 164. May Fix a Salary Without Perquisites.—The Mayor and General Council of the City of Atlanta shall have the power and authority, in their discretion, to fix a salary for the Marshal and Clerk of Council of said City (for either or both) instead of perquisites, and to cover into the City Treasury of said City any and all fees and perquisites, which may by law or ordinance be required to be paid into the offices of Clerk of Council and Marshal of said City, or either of said officers, for issuing licenses, permits, executions, making levies or for any other purpose whatever.

Sec. 165. Mayor and Council May, However, Fix Compensation by Part Salary and Part Perquisites.—The compensation of

said Marshal and Clerk of Council, or either of them, may be fixed in part by salary and in part by such a pro rata of the fees and perquisites received in such offices, or either of them, as may be provided by said Mayor and General Council, and the remainder of such fees and perquisites shall be covered into the Treasury of said City: Provided, that nothing in this Act contained shall prevent the Mayor and General Council of said City from fixing the compensation of the Marshal and Clerk of Council of said City, or either of them, should they, in their discretion, deem it to the best interest of said City so to fix the same.

Sec. 166. Other Services by Marshal.—He shall do and perform such other services as the Mayor and General Council shall prescribe by ordinance.

Sec. 167. Office of Marshal May be Continued or Abolished.—The said Mayor and General Council are also hereby empowered, after the termination of the present term of office of the Marshal of said City, to either continue the said office of Marshal, or to abolish the same in the discretion of said Mayor and General Council.

Sec. 168. If Abolished, Who Acts.—In the event of its abolishment, (the said Mayor and General Council are also empowered) to confer upon the Tax Collector of said City the powers and duties of such Marshal with reference to the collection of executions, whether for license tax, general tax, or assessments for street, sidewalk, sewer, or other public improvements.

Sec. 169. Shall Act as City Inspector—How.—It shall be the duty of the Marshal to (also) act as City Inspector, under such rules and regulations as the Mayor and General Council shall prescribe, who shall be empowered to enforce the State laws on the subject of weights and measures, and such other rules and requirements as are not in conflict with the laws of this State.

Sec. 170. Warrants, Executions, Etc., by Clerk—Directed to Marshal.—All warrants, summonses, precepts, executions, or other processes issued by the Clerk of the City Council of Atlanta shall be directed to the Marshal of the City of Atlanta.

Sec. 171. Marshal Authorized to Transfer Fi Fas.—The Marshal, or collecting officer of said City, as the case may be, shall be authorized to transfer and assign any fi fa or fi fas issued for street, sewer, or other assessments, in the same manner, upon the same terms, and to the same effect, and vesting the purchaser or transferee with the same rights as in cases of sales or transfer to tax fi fas, as now allowed by law.

Sec. 172. Oath of Office—How Administered.—Before entering upon the discharge of the duties of his office, he shall take and subscribe an oath before some officer authorized to administer it, to faithfully discharge the duties of his office.

CHAPTER XIII.

CITY TREASURER—AUDITOR.

Sec. 173. Treasurer—How Elected—When.—There shall be elected by the people a City Treasurer, who shall be elected and hold his office as prescribed in the 6th Section of Act (1893) unless removed for cause, to be judged of by the Mayor and General Council.

Sec. 174. Duties of Treasurer.—He shall keep a book, in which he shall make an entry of all sums of money received, and shall also make an entry of all sums of money paid out, and shall take receipts of all sums paid out, which book and receipts shall be subject to the inspection of the Mayor and members of the General Council of said City at such times as they, or either of them, shall think proper.

Sec. 175. He Shall Give Bond.—He shall give a bond and security in the amount to be fixed by the Mayor and General Council for faithful discharge of the duties of his office.

Sec. 176. Compensation.—(He shall) have a reasonable salary to be fixed by the Mayor and General Council the year next preceding his election, which shall not be increased or diminished during his continuance in office.

Sec. 177. Oath of Office—How Administered.—He shall take and subscribe an oath before some officer authorized to administer it, faithfully to discharge the duties of his office. (Vacancy in office filled by Council.—Act 1898).

Sec. 178. Liability of Sureties on Treasurer's Bond.—The liability of any surety or sureties on the bonds of the Treasurer of the City of Atlanta shall be the same as that of the sureties on the bond of the Treasurer of the State of Georgia, to-wit: That the property of any such surety on the bond of such City Treasurer shall be subject to a lien in favor of the City of At-

lanta for the full amount of such Treasurer's bond from the date of the execution thereof.

Sec. 179. Treasurer's Bond—Minimum Amount—Power to Increase.—The bond of the Treasurer shall be fixed by the General Council at such amount as in their judgment may be sufficient, in no event to be less than one hundred thousand (\$100,000.00) dollars. The General Council shall also have power to increase the bond whenever they may deem it necessary to protect the interest of the City.

Sec. 180. Regulation of Deposit of City's Moneys—Depositories—How Designated.—The deposits of moneys in the hands of the Treasurer of the City of Atlanta, belonging to the City of Atlanta, shall be regulated as follows: Whenever the money of the City of Atlanta in the hands of the City Treasurer shall exceed the sum of five thousand (\$5,000.00) dollars, such money shall be deposited in four (4) chartered banks of deposit and discount of said City in as nearly equal proportions as may be practicable. The depositories shall be designated by the Mayor and General Council, and in making the designation regard shall be had to the rate of interest on balances of deposits offered by the various banks, and to the amount and kind of security tendered by said banks, with the purpose on the part of the Mayor and General Council to get the best rate of interest and the best security for the money deposited.

Sec. 181. Treasurer and Sureties Not Liable—When.—The Treasurer and his sureties shall not be liable on his bond for any of such moneys while on deposit as aforesaid, but he and his sureties shall be liable on his bond for any moneys belonging to the City of Atlanta not so deposited under direction of the Mayor and General Council.

Sec. 182. Deposited Moneys—How Drawn.—Moneys on deposit as aforesaid shall be at all times subject to be drawn out on warrant regularly issued by the Mayor and General Council, signed by the Comptroller, to pay the debts or current expenses of the City, and shall likewise be subject to be withdrawn from the Bank where deposited in the discretion of the Mayor and General Council at a regular or special meeting.

Sec. 183. Treasurer Can Withdraw Funds only on Warrants.

—The Treasurer of said City shall have no power on his own motion to withdraw any of the funds so deposited, but can only do so upon warrants regularly issued and countersigned as aforesaid.

Sec. 184. Further Conditions—Regulation of Deposits, Etc.

—In case none of the banks of the City make reasonable offers of interest and security, as aforesaid, or a smaller number of the banks than four (4) make such offers, then the whole subject of the regulation of the deposits of the moneys belonging to the City shall be left to the sound discretion of the Mayor and General Council in office for the time being. The Mayor and General Council of the City of Atlanta shall have full power to provide by necessary ordinances for the regulation and control of the deposits of funds belonging to said City in accordance with the spirit and intent of this Act.

Sec. 185. Shall Make Annual Statement and Estimate for Ensuing Year.—The Treasurer of the City, at the close of each fiscal year, shall make a full tabular statement of the assets of and resources of the City, with an itemized estimate of the probable and necessary expense for the ensuing year, which shall be published.

Sec. 186. Auditor—How Elected—When.—The Mayor and General Council may, at their discretion, at the same time the other City Officers are elected, elect an Auditor, who shall hold his office as provided in the 20th Section of this Act (1874), unless removed for cause, to be judged of by the Mayor and General Council.

Sec. 187. Duties of Auditor.—He shall examine quarterly the books, papers, and accounts of all the City Officers, through whose hands money may pass, and to make a written report to the Mayor and General Council as to the correctness of said accounts.

Sec. 188. General Council Not Relieved of Examining Accounts by Election of an Auditor.—The election of an auditor, with the duties above set forth, shall not relieve the members

of the General Council of the responsibility of examining into all accounts for and against the City, and into the reports of the City Officers.

Sec. 189. Compensation.—He shall receive such salary as may be voted him by the General Council next preceding his election, which shall not be increased or diminished during the term, for which he was elected.

Sec. 190. Auditor May be Removed—Cause.—The Auditor may be removed at any time for malpractice in office, or for incompetency.

CHAPTER XIV.

FINANCE.

Sec. 191. Financial Condition—How Ascertained—When.—For the purpose of enabling Councilmen and Aldermen to know at all times the true financial condition of the City, the Comptroller shall prepare, and the Clerk of Council shall read and enter upon the minutes, at the opening of each regular session, a balance sheet, showing the gross revenue of the fiscal year, and expenses voted by Council up to that time, as also the amount of the said several sums estimated as aforesaid, and what part of the same has been up to that time appropriated, and what part remains unappropriated.

Sec. 192. Receipts and Expenditures Shown in Detail by Comptroller's Books.—The books kept by the Comptroller of the City of Atlanta shall be kept in such manner as to show in detail the receipts and expenditures of each Department of the City Government.

Sec. 193. Assessment of City Property.—The said Mayor and General Council shall make or cause to be made an early assessment on City property, which assessment shall, in all cases, be made at the cash market valuation of the same, so that the return of the assessors can be completed and handed in by the first day of February of each year, and to open books to receive returns for taxation on the first day of February each year, and to close their books for receiving returns on the fifteenth day of March in each year.

Sec. 194. Estimate of Income Tax After Assessors' Return—When Made—How.—Upon the return of the assessors being handed in, as above provided, the said Mayor and General Council, at the first regular meeting in June thereafter (1899), shall cause an estimate to be made up and entered on the minutes, showing the gross amount of the income of the City for the fiscal year, ascertained by assessment of a tax not exceeding one and one-fourth per cent. on the taxable property of the City, and a reasonable estimate of the other taxes and sources of revenue.

Sec. 195. Appropriation of Revenue.—And shall apportion and set apart the same to such departments and to such number of departments or heads as may be deemed requisite and as shall be provided by ordinance, and the name, number, and order of departments or heads for appropriations may be changed by ordinance; which several sums taken in the aggregate shall not exceed the amount of income from all sources for the year in question.

Sec. 196. Appropriations May be Varied—When.—The annual appropriations, as made by the Council, may be varied as to the amount distributed to the several heads at the first meeting held in October; these variations not to retroact on expired quarters, and not to enlarge in any manner the aggregate appropriations for the year.

Sec. 197. Appropriations—How Made.—No money shall be appropriated from the City Treasury, except by resolution of the Council and Aldermen, as herein provided, which shall be void, unless it specifies upon its face upon which of said funds it is drawn.

Sec. 198. Exceeding Limit of Appropriation—Penalty.—The said Mayor and members of Council and Aldermen shall be individually liable to the City for the refunding of any amounts appropriated or expenses incurred in excess of said limits, when present at the voting of the same—except such of them as escape such liability by calling the yeas and nays, and voting in the negative, and name entered on the minutes.

Sec. 199. Penalty—How Enforced.—The amount thereof will be recovered in an action brought in any of the Courts of this State having jurisdiction thereof, in the name of the Clerk of the Council, for the use of the City.

Sec. 200. Clerk's Compensation for Bringing Suit.—Ten per cent. of the recovery shall be his (the Clerk's) compensation.

Sec. 201. Failure of Clerk to Bring Suit—Penalty.—If he fail to bring said action within ten days, the said sums may be recovered of him and his bondsmen, at the suit of any citizen.

Sec. 202. No Settlement Without Judge's Consent, with Entry on Minutes.—No action brought under this Section, or right of action, shall be settled without the consent of the Judge before whom such suit is pending, upon exhibit of all the facts, and such consent entered on the minutes.

Sec. 203. Annual Expense Restricted to Income.—The annual expense of the City of Atlanta shall be so restricted as not to exceed the annual income of the City, after paying interest on its bonds and floating debt, and one-half of the tax on real estate be first set aside for the payment of this floating debt, until all is paid. (Latter clause obsolete, because debt has been funded).

Sec. 204. Can't Borrow, Except as Herein Allowed.—No Council or General Council shall be allowed to borrow any money, except as may be necessary to meet the present floating debt, or in carrying temporary balances on same, and every contract for borrowed money other than herein allowed, shall be void. The Mayor and Council, or Mayor and General Council, shall have full power and authority, in their discretion, to negotiate loans on the most advantageous terms to the City, for the first and second quarter, to supply and make up any deficiency that may exist, of the funds in the Treasury, for the purpose of paying the expenses of the City, which may be incurred under the several heads hereinafter mentioned, in any amount not exceeding \$400,000, and not exceeding the amounts set apart under each head for the year in question.

Sec. 205. Loans to be Returned—When—In Total or Partial Payments—All to Be Paid Out of the Same Year's Income.—As soon as an amount equal to the amount so borrowed is paid into the Treasury by taxation, or from other sources of revenue, not already applied to other debts or liabilities of said City, the said Mayor and Council, or Mayor and General Council, shall at once apply the same, or as much as may be necessary, to the repayment of said loans, or said Mayor and Council, or Mayor and General Council, shall be authorized in their discretion to make partial payments upon said loans with any moneys that may come into the Treasury from time to time, under the restrictions herein provided. In either case the total amount of said

loans shall be repaid out of the income of the year, in which said loans were made.

Sec. 206. Temporary Loans—Limit of—How to Be Repaid.—The Mayor and General Council of Atlanta shall have power and authority to borrow money by making temporary loans of not exceeding four hundred thousand dollars in any one year, the sum or sums so borrowed to be repaid out of the income of the City for the year, in which the loan or loans were made, and before the expiration of the year, in which the same was borrowed, this authority to be in lieu of authority heretofore granted to borrow smaller sums.

Sec. 207. When Contracts Are Void—Individual Liability—When—How Enforced.—All contracts entered into by said Council, contrary to this Act (1874), for the purpose of raising money, or otherwise engaging the credit of said City, shall be null and void as to said City, but the said Mayor, if he approve, and all members of the Council, or General Council, present and voting, who fail to record their votes against such measure or contract, shall be jointly and severally liable thereon, as upon their own contracts, which may be enforced against such Mayor and members of Council, or General Council, in any Court of this State having jurisdiction thereof.

Sec. 208. May Create a Sinking Fund for City Hall.—The Mayor and General Council of said City in their discretion are hereby authorized to create a sinking fund from the taxes and other incomes of said City, to provide a fund for the purchase, or acquiring of a site by condemnation proceedings, for a City Hall building, and for the erection of a City Hall building. The amount to be paid into such fund each year shall be such as may be prescribed by the Mayor and General Council by ordinance.

Sec. 209. May Purchase City Hall or Site—Pay In Full or in Installments.—The Mayor and General Council of Atlanta are hereby also authorized, in their discretion, to purchase a site and building, or a site only, for a City Hall, and to pay for the same in five or more annual installments.

Sec. 210. May Purchase Piedmont Park—Price—Install-

ments.—The Mayor and General Council of the City of Atlanta are hereby authorized, in their discretion, to purchase the property known as Piedmont Park for park purposes at a price not exceeding one hundred and sixty thousand (\$160,000.00) dollars, and to pay for same in such annual installments, and through such a number of years, as may be deemed best by said Mayor and General Council.

Sec. 211. May Rent Suitable Market House or Houses—Term and Rent Limited.—The Mayor and General Council are hereby authorized to rent or lease from any party, who may build a suitable market house or houses in the City of Atlanta, for a term not exceeding fifteen years, at a rate of rental not to exceed eight per cent. on the investment, and are hereby authorized to make such ordinances as are necessary and proper to protect the City in said lease.

Sec. 212. May Purchase Market House—Time—Cost.—The City of Atlanta is hereby authorized to purchase said market or markets at any time during said fifteen years at original cost of said market property.

Sec. 213. May Expend Entire Receipts—Proviso.—Said Mayor and General Council are hereby authorized to expend and use any excess in the receipts of the City for any year over the amount appropriated for such year; Provided, that such expenditure shall in no case exceed the actual cash receipts for such year.

CHAPTER XV.

CITY BONDS.

Sec. 214. May Issue Redemption Bonds—to Retire Funding Bonds—Limit of Interest Rate.—The Mayor and General Council, with the concurrence of the Aldermanic Board of the City of Atlanta, are hereby authorized to cause the issue of new coupon bonds of said City to meet and retire the securities of said City, known as the six per cent. funding bonds, as the several installments of same shall hereafter, from time to time, mature and fall due, beginning with the next installment amounting to twenty-five thousand dollars, which falls due on the first day of January, 1897. Said new coupon bonds to be in such form, to run for such length of time, and to bear such rate of interest (not exceeding four and one-half ($4\frac{1}{2}$) per centum per annum) as the said City Government may direct, and the proceeds to be applied only for the purpose of paying off and retiring said series of six per cent. funding bonds above described.

Sec. 215. May Refund all Maturing Bonds—to Retire Maturing Bonds—Limit of Interest Rate.—The Mayor and General Council of said City are hereby authorized and empowered to cause the issue of new coupon bonds of said City to meet and retire all bonds of said City now outstanding as the several installments thereof shall hereafter, from time to time, mature and fall due; said new coupon bonds to be in such form, to run for such length of time, and to bear such rate of interest, not exceeding four and one-half per centum per annum, as the said Mayor and General Council may direct, and the proceeds to be applied only for the purpose of paying off and retiring any bonds of said City now outstanding as the same mature.

Sec. 216. May Refund Maturing Bonds in Bonds Bearing Lower Interest.—The Mayor and General Council of said City of Atlanta are hereby authorized and empowered to issue new coupon bonds of said City to run for such length of time, to be of such denominations, and to bear such rate of interest not to exceed four and one-half ($4\frac{1}{2}$) per centum per annum as said

Mayor and General Council may direct. The bonds hereby authorized may be issued from time to time as outstanding unmatured bonds of said City, bearing a higher rate of interest, can be obtained by purchase or exchange for said new issue of bonds, on terms satisfactory to said Mayor and General Council. The bonds authorized to be issued under this Section shall be issued only as outstanding bonds of said City, as above, of the same amount of principal, are retired by purchase with the proceeds of said new bonds, or by exchange for new bonds as aforesaid, and said new bonds, or the proceeds thereof, shall be used for the retiring, as aforesaid, of bonds of said City bearing a higher rate of interest than the new bonds authorized by this Section; and in no event shall the amount of bonds issued for this purpose at any time exceed the amount of outstanding higher interest rate bonds retired by purchase with the proceeds or by exchange for such new bonds.

Sec. 217. No Bonds to Bear Higher Rate of Interest Than Maturing Bonds.—No bonds issued by the Mayor and General Council of the City of Atlanta, to meet maturing and outstanding bonds, shall bear a higher rate of interest than such maturing bonds.

Sec. 218. May Regulate Registration of Bonds.—The Mayor and General Council of said City of Atlanta are hereby authorized and empowered to provide for and regulate the registration of bonds of said City with the Treasurer of said City, in as full and ample manner as is provided by the laws of this State for the registration of bonds in this State. Said Mayor and General Council shall have the power to prescribe the manner, in which bonds of said City, which have been registered, may be transferred or negotiated.

Sec. 219. May Issue Registered Bonds—Lieu of Coupon Bonds—Registered Bonds Have No Coupons—Transferable on Treasurer's Books.—Said Mayor and General Council may provide for the issuing of registered bonds of said City, in lieu of any bonds authorized to be issued in pursuance of this Act (1889), and in lieu of any coupon bonds of said City heretofore, or that may hereafter be issued by said City. Said registered bonds shall be similar in all respects to the bonds authorized to

be issued by said City under the Acts respectively authorizing the issue of the same, EXCEPT, that registered bonds under this Section of this Act shall not be coupon bonds, and the principal and interest shall be payable only at the Treasury of said City. Said bonds registered under and by virtue of this Section shall be transferable on the books of the Treasurer of said City, in the manner in substance provided for the transfer of the bonds of the State of Georgia, authorized to be registered by the third Section of an Act approved September 5, 1887, and which Act provided for the issue, registration, etc., of the bonds of the State of Georgia.

Sec. 220. Guardians and Trustees May Invest in City Bonds.—Any guardian or Trustee, in his discretion, may invest any funds of his ward or cestui que trust in his hands in bonds of said City of Atlanta, in the same manner and to the same extent as such funds may be invested in stocks, bonds, and other securities of the State of Georgia.

Sec. 221. Bonds—How Issued—General Laws—No Special Law.—The City shall hereafter issue and sell bonds under the provisions of the General Laws of the State, and where an issue of bonds is desired and the purposes thereof are legal and the amount proposed is not in excess of the constitutional limit, the Mayor and General Council shall call an election therefor by ordinance, observing, as to notice, time, place and manner of election, voting and declaring the result and all other formalities as provided by law, the general laws governing the same.

CHAPTER XVI.

CITY COMPTROLLER.

Sec. 222. City Comptroller—Office of Created.—The office of City Comptroller of said City is hereby created.

Sec. 223. City Comptroller—How Elected.—The City Comptroller shall be elected by the people at the same time the City Officers are elected and shall hold his office as provided in Acts (1910) Sec. 117.

Sec. 224. Duties of Comptroller.—The duties of said City Comptroller shall be such as are now or from time to time may be prescribed by ordinance of said City. Said City of Atlanta shall have power to devolve upon the City Comptroller any duty or authority now and heretofore devolving upon any other officer of said City or charter or law, whenever the Mayor and General Council may deem it necessary or proper.

Sec. 225. He Shall Give Bond.—He shall give bond in such sum as may be prescribed by ordinance, with security, subject to approval by the Mayor, conditioned for the faithful performance of his duties.

Sec. 226. Compensation.—He shall receive such salary as may be prescribed by the Mayor and General Council, which salary may be increased during his present or future term of office.

Sec. 227. Keeps City Accounts with All Departments—Apportionment of Revenue for Convenience of Comptroller—Heads of Appropriations.—To enable the City Comptroller to keep a general set of books for said City, and to keep regular and correct accounts, showing the financial transactions of said City, separately and under proper heads, with all persons and City officers, who may have money transactions with said City, and to enable a complete system of checks and balances to be provided for said City, said City may by ordinance provide for the apportionment of the revenue or income of the City each year, to such

departments or heads, and to such number of departments or heads, as may be deemed requisite, instead of to Departments or heads heretofore provided by charter of said City in Section 35 thereof (Act 1874), and elsewhere therein; and said City may by ordinance change the name, number, and order of departments or heads for appropriations heretofore provided; but all the other financial provisions of the charter and amendments thereto of said City are continued in force, except as changed by this Act. (1889.)

Sec. 228. Comptroller May Require Evidence of Justice of Claims.—Whenever a warrant or claim shall be presented to the City Comptroller, he shall have power to require evidence that the amount claimed is justly due, and for that purpose may summon before him any officer, agent, or employee of any department of said City, or any other person, and examine him upon oath or affirmation, relative to such warrant or claim, and may require the production of books and papers to be used as evidence before him.

Sec. 229. Books Shall Show in Detail Receipts and Expenditures of Each Department.—The books kept by the Comptroller of the City of Atlanta shall be kept in such manner as to show in detail the receipts and expenditures of each Department of the City Government.

CHAPTER XVII.

DEPARTMENT OF WATERWORKS—BOARD OF
WATER COMMISSIONERS.

Sec. 230. Water Commissioners—Continued in Office.—By reason of the inadequate supply of water in said City, for extinguishing fires, and for domestic and sanitary purposes, and for the purpose of supplying said deficiency, the Board of Water Commissioners as now established by law, shall be continued as hereinafter provided.

Sec. 231. One Commissioner From Each Ward.—One of said Commissioners shall be elected (by the Mayor and General Council) from each of the nine wards of said City.

Sec. 232. Election in 1887—Terms of Members Elected.—At the second regular meeting of the Mayor and Council of the City of Atlanta in December, 1887, said body shall elect seven (now eight) Water Commissioners for said City. The terms of the members first elected under this Act shall be as follows: Those elected from the First and Second Wards shall hold their offices for a term of one year; those elected from the Third and Fourth Wards shall hold their offices for a term of two years, and those elected from the Fifth and Sixth Wards shall hold their offices for a term of three years.

Sec. 233. Subsequent Elections—Terms of Members Elected—If Vacancy, How Filled.—At all subsequent elections, except to fill vacancies, the members shall be elected for a term of three years each, and on the expiration of a term, or the existence of a vacancy a member shall be elected from the Ward in which the same occurs.

Sec. 234. When Terms Begin—If Vacancy, Election Fills Unexpired Term.—The terms of office of all members of said Board shall commence on the first day of January following their election, except in cases of elections to fill vacancies. In the latter case elections shall be for the unexpired term.

Sec. 235. Mayor and Chairman of Waterworks Committee Ex-Officio Members of Board.—The Mayor of said City and the Chairman of the Committee on Waterworks of the General Council of said City shall each be ex-officio a member of the Board of Water Commissioners of said City, and said eight members above provided for, together with said Mayor and Chairman of the Committee on Waterworks, shall constitute the Board of Water Commissioners of said City.

Sec. 236. Vacancy—How Filled—Term.—Whenever a vacancy occurs by death, resignation, or otherwise, it shall be filled by the Mayor and General Council for the balance of the term.

Sec. 237. Oath of Office.—The said Board of Commissioners shall take and subscribe the oath administered to the Mayor and General Council.

Sec. 238. Elect Their Own President—When.—Said Board of Water Commissioners shall choose from their own number, annually, one as a President of said Water Board.

Sec. 239. Quorum.—A majority of said Board shall constitute a quorum for the transaction of business.

Sec. 240. Shall Keep Record of Acts and Doings—Make Reports—When—Subject to Examination—When.—(Said Board) shall keep a record, in books to be kept for that purpose, of the acts and doings of said Board, a full report of which shall be made annually to the Mayor and General Council of said City, and the books of said Board shall be subject to examination at any time by persons authorized to do so by the Mayor and General Council.

Sec. 241. Legal Acts Bind City.—All contracts and engagements, acts and doings of said Board, within the scope of their duty or authority, shall be obligatory upon, and be in law considered as if done by the Mayor and General Council of the City of Atlanta; and the said City of Atlanta, and all the real estate within the City of Atlanta, shall be liable for the payment of the

principal and interest that may become due on the bonds to be issued by virtue of this Act. (Obsolete.)

Sec. 242. Members May be Removed for Cause—When—How.—The Mayor and General Council of the City of Atlanta, may, at any time, remove any member of said Board; Provided, it shall satisfactorily appear, after reasonable notice to the parties, and hearing the cause of complaint and answer thereto, if any should be offered, that the member, whose removal is sought, has been guilty of maladministration or neglect of the duties of his office, that his removal will be right and proper, and two-thirds of the members elected to said Council shall concur in such removal.

Sec. 243. Powers of Board—Holding Property for City—Construction of Aqueducts—Laying of Pipes—Maintain Water-works.—The said Board shall, for (and in the name of) the Mayor and Council of the City of Atlanta, take and hold the lands and real estate, rights, franchises, and property of every kind so purchased by the Board aforesaid, and other lands, real estate or property, necessary in their opinion for the construction of any canals, aqueducts, reservoirs, or other works for conveying or containing water, or for the erecting of any building or machinery, for laying any pipes or conduits for conveying the water into or through the said places, or to secure and maintain any portion of the works, and in general to do any other act necessary or convenient for accomplishing the purposes contemplated by this Act.

Sec. 244. Mayor and General Council May Inspect Works—When.—The said Mayor and General Council shall be authorized by a Committee of their own number, or otherwise, to inspect semi-annually, or oftener, the state and condition of the works and property thereto belonging, and the said Board shall give them every reasonable facility and assistance in making such inspection.

Sec. 245. May Use Roads, Streets, Etc.—Damages to Same to be Repaired.—The said Board, in behalf of the Mayor and General Council of the City of Atlanta, and all persons acting under

their authority, shall have the right to use the ground or soil under any road, railroad, highway, street, lane, alley or court, within the State, for the purpose of constructing, enlarging, or improving any of the work contemplated by virtue of this Act, upon condition that they shall not permanently injure any such railroad, highway, street, lane, alley or court to be restored to its original state, and all damages done thereto be repaired.

Sec. 246: Contracts for Material—in Writing when—How Endorsed.—All contracts for material, or for the construction of any part of said work, which shall involve the expenditure of five hundred dollars or more, shall be made in writing, and of each contract two copies shall be taken, which shall be numbered with the number of said contract, and endorsed with the name of the contractor, and a summary of the work to be done, or material to be furnished.

Sec. 247. One Copy of Contract Deposited with Comptroller.—One of the said copies shall be deposited with the Auditor of Accounts (now Comptroller) of the City of Atlanta, and one shall be retained by said Board.

Sec. 248. Security Taken for Contracts by Board—From Whom—How.—The said Board shall have authority to require from any person or persons with whom they shall enter into a contract, satisfactory security for the faithful performance of said contract, according to its terms.

Sec. 249. No Member of Board Shall be Interested in Contract.—And no member of said Board shall be interested, directly or indirectly, in any contract relating to said work.

Sec. 250. Property Exempt from Tax.—All lands and real estate, and property of every kind, so held aforesaid, by the said Board, and in the name of the Mayor and General Council of the City of Atlanta, shall be exempted from taxes and assessments.

Sec. 251.—There shall be elected a General Manager of Water Works by the people at the same time the other City Officers are

elected who shall hold his office as provided in Act of 1910 (Sec. 117.)

Sec. 252. Board May Appoint Engineer, Clerks, Etc.—Fix Compensation.—The said Board of Commissioners shall have power to appoint a competent engineer for the construction of said water works and to fix his compensation therefor, while so employed. Also to employ such clerks and laborers as may from time to time be found needful, and fix their compensation.

Sec. 253. Board Regulates Distribution of Water—Public Hydrants—Where and How Erected.—The said Board (Water Commissioners) shall regulate the distribution and use of said water in all places, and for all purposes where the same may be required, and from time to time shall fix the price for the use thereof, and the time of payment, and they shall erect such number of public hydrants and in such places as they shall see fit, and direct in what manner and for what purpose the same shall be used, all of which they may change at their discretion.

Sec. 254. Appliances to Extinguish Fires—Expense of City—How Erected.—All conduits or appliances required and furnished for the purpose of extinguishment of fires shall be erected at the expense of the Mayor and General Council of the City of Atlanta, and placed as they shall direct, and be under their exclusive control and direction.

Sec. 255. Contracts for Water—Limit Three Years.—The Board shall make no contract for the price of using the water for a longer time than three years, and at the expiration of any term or lease, the price paid for the use thereof shall be adjusted according to the regulations then established.

Sec. 256. Payment for Water—May Shut Off Supply for Non-Payment.—The said Board shall have full power and authority to require the payment in advance for the use or rent of water furnished by them, in or upon any building, place or premises, and, in case prompt payments shall not be made, they may shut off the water from such building, place or premises, and shall not be compelled again to supply said building, place, or

premises, with water until said arrears, with interest thereon, shall be fully paid.

Sec. 257. May Assess for Water Pipe—Limit of Assessment.—Whenever the said Board of Water Commissioners shall cause water pipe to be laid along any street in the City of Atlanta, they are hereby authorized to assess the cost, or such portion of the cost of such pipe, and the expense of laying the same, and of erecting hydrants, upon the owners of all improved property on each side of the street, or portion of a street, along and through which such pipe has been, or may be, extended, such assessment to be made under such just and equitable rules as said Board of Water Commissioners may establish, not exceeding seven dollars each.

Sec. 258. Payment Refused—Penalty—Provisos.—If any property-owner shall refuse, after demand, to pay such assessment, the name of such person, the amount due by him, and a description of the property, in front of which such pipe has been run, shall be furnished by the Board to the Clerk of the City Council of Atlanta, who shall issue execution against such owner for the amount due; which said execution shall be levied by the City Marshal and collected out of the property mentioned on tax execution, and the amount paid over to the Water Commissioners, and the fees of the Clerk and Marshal shall be the same as allowed by law for tax executions; provided that any person taking water on his, her, or their premises shall be charged the regular water rate, and shall not be subject to said assessment; provided, further, that, if the property-owner aforesaid shall take, within twelve months from the laying of said water pipes, water in pursuance of all rules and regulations of the Water Commissioners, then said sum so collected shall be credited upon the current water rates of the property-owner for the year he or she shall take the same; and provided also in no case shall any sum be levied upon any property-owner failing or refusing to take said water more than one term.

Sec. 259. Income to be Paid into the City Treasury.—On and after January 1st, 1880, all money collected from water rents, and any other income from said waterworks, shall be paid, as collected, to the Clerk of Council of the City, and by him into the

City Treasury, and the necessary funds to carry on said waterworks shall be paid out of the City Treasury on orders of the Mayor and General Council.

Sec. 260. Appropriation for Waterworks can not Exceed Income—Except When.—The annual appropriation for waterworks shall never exceed the estimated annual income, except in an extraordinary emergency, to be judged of by the Mayor and General Council.

Sec. 261. Appropriation—How Made.—Said Board shall by the first meeting of the Mayor and General Council in May of each year file with said body an estimate of the probable receipts from water rents and other income, if any, and of the amount necessary to run said waterworks during the current year. Said Mayor and General Council shall then, and at the same time that other appropriations are made, make such appropriations, and set apart such amount for said waterworks, as may be necessary for the economical and successful operation of the same, and shall pay the same over to the Board of Water Commissioners as it may be needed.

Sec. 262. Persons Maliciously Injuring Pipes—Their Liability—Their Punishment.—If any person or persons shall maliciously or willfully divert the water, or any portion thereof, from the said works, or shall corrupt or render the same impure, or shall destroy or injure any canal, aqueduct, pipe, conduit, machinery, or other property used or required for producing or distributing the water, such person or persons, and their aiders and abettors, shall forfeit to the said Board, to be recovered in an action of trespass, treble the amount of damages (besides cost of said suit), which shall appear on trial to have been sustained, and all such acts are hereby declared to be misdemeanors; and the parties found guilty thereof may be further punished by fine not exceeding one thousand dollars or by imprisonment not exceeding one year, or both at the discretion of the Court.

Sec. 263. Board May Make Rules—Regulate Use of Water, Etc.—The said Board shall have power to make rules and regulations respecting the introduction of water into or upon any

premises and, from time to time, to regulate the use thereof in such manner as shall seem to them necessary and proper.

Sec. 264. Apparatus May be Examined—By Whom—For What Purpose.—The members of said Board, and all engineers, superintendents, or inspectors in their service, are hereby authorized and empowered to enter at all seasonable hours any dwelling or other places where said water is taken and used, and where unnecessary waste thereof is known, or suspected, and examine and inquire into the cause thereof. They shall have full power to examine all surface pipes, stop-cocks, and other apparatus connected with the said works, for the purpose of ascertaining whether the same are of the character and dimensions, and fixed in the manner directed in permits issued therefor.

Sec. 265. Penalty for Refusal to Permit Such Examination.—If any person refuse to permit such examination, or oppose or obstruct such officer in the performance of such duty, he, she, or they so offending shall be liable to such penalty, not exceeding ten dollars, for such offense as the Board may impose, and supply of water may also be shut off until the required examination is made, and such alterations and repairs are completed as may be necessary.

Sec. 266. Board May Execute Promissory Notes.—(Obsolete).—The said Board shall be authorized to execute promissory notes, or accept drafts for any of the legitimate purposes of said works, in anticipation of the receipts of the proceeds of the sale of bonds hereinbefore authorized to be issued by them, or of the revenue of the said works. Provided, however, that the whole amount of the permanent indebtedness of the City to be increased by them by virtue of this Act, shall not exceed the sum of five hundred thousand dollars.

Sec. 267. Condemnation of Private Property for Waterworks Uses—By Whom and How Instituted.—The Mayor and General Council of the City of Atlanta are hereby authorized to condemn property, which may be needed, in the judgment of said Mayor and General Council, to enlarge its waterworks plant, or grounds, the condemnation proceedings in all cases to conform to the laws

of the State authorizing and regulating the condemnation of private property for public uses. (General law now obtains).

Sec. 268. Appropriation of Real Estate by Condemnation, or Injury to Same—Disagreement as to Price—Court Appoints Assessors, Who Report to Court.—In case of a disagreement between said Board and the owners of any lands, or water-rights, or franchises, necessary for the construction of said waterworks, or anything appertaining thereto, or as to the price to be paid therefor, as to the damage done thereto, or the owner of said land, or water-rights, or franchises, shall be a married woman, or an infant, or insane, or shall be absent from the State, then it shall and may be lawful for the Judge of the Superior Court of Fulton County, upon application of either party, or in case such owner shall be unknown, or can not be found, then, upon notice of such application at said Court, may direct to appoint three disinterested persons to examine said property, and to assess the value thereof, or the damage done to the same, who shall, with as little delay as possible, discharge said duty, after having taken an oath before some officer authorized to administer the same, impartially, to the best of their ability, and make a return of their actings and doings in the premises to the next term of the Superior Court of Fulton County, to be entered on the minutes of said Court, and made the judgment thereof.

Sec. 269. Proviso for Appeal from Assessors' Award—How Made—Appeal Shall Not Delay Work on Waterworks.—Provided, that in case either party is dissatisfied with said award, he or they may appeal to the Superior Court of said County, and have said case tried by a special jury, as in usual cases of appeal, upon giving to the opposite party notice within ten days after the making of said award, of his intention to do so, and giving bond, with good security for the payment of all costs and damages, which may accrue to the opposite party by reason of entering said appeal; and, provided, further, that the work on said waterworks shall not be delayed by reason of entering said appeal.

Sec. 270. If No Appeal—Board Pays in Two Months Amount Reported by Assessors as Full Compensation.—Whenever such report shall have been made the judgment of said Court, and no

appeal has been entered, as aforesaid, the said Board shall, within two months thereafter, pay to the said owner, or to such person or persons as the Court may direct, the sum mentioned in said report, in full compensation for the property so required, or for the damages sustained, as the case may be.

Sec. 271. Title Disputed—Owner Insane, Unknown, or an Infant—Board Pay Money into Court—Mayor and General Council Seized in Fee Simple.—In all cases, when the title or interest of any person or persons in land required and taken up for the purpose of this Act is doubtful or disputed, or in case said owner shall be unknown, insane, non compos mentis, or an infant, or can not be found, the value of, or damage to, such lands, awarded by the Commissioner appointed by said Judge of the Superior Court, may be paid into said Court, upon affidavit made of such facts by the claimant, his agent, or attorney, and such payments shall have the same effect as if made to the owner thereof, and the said Court may proceed in a summary way, upon petition of any person claiming to be the owner of said lands, or any part thereof, and to what person or persons the said money shall be paid, and shall have power to distribute the same among the persons entitled thereto, and thereupon the Mayor and General Council of the City of Atlanta shall become seized in fee simple of such property so required, and shall be discharged from all claims by reason of such damage.

NEW WATERWORKS.

Sec. 272. Authority to Improve Water Supply—Acquire Rights and Property for That Purpose—Provisions for Pure and Clear Water.—The City of Atlanta is hereby authorized and empowered to enlarge and improve the existing water supply and waterworks of said City in any manner and to any extent, that is or may be needful, from the present or from any other site or sites; that said City shall have the power to acquire all rights and property, real and personal, necessary or appropriate for affording a complete and sufficient supply of reasonably pure and clear water to said City, and shall have power to acquire and hold or use all such rights and property, both within the limits of said City and anywhere in this State, including ownership of and dominion in whole or in part over the water-shed, from which the water to be supplied is gathered, however large the tract of land

necessary for the purpose may be, so as to let said water-shed grow up in grass and trees, without manuring or tillage, or other hurtful use, and so as to keep the water clear and pure.

Sec. 273. Authority to Make Surveys for Proposed Work.—The said City shall have power to cause such examinations and surveys to be made for the proposed work contemplated in this Bill as shall be necessary or proper to the selection of the most advantageous location or locations, site or sites, water-shed or sheds, and right or rights, way or ways, for locating all their works and appliances for bringing the water and distributing it in the City, and for carrying out the object of this Bill.

Sec. 274. Can For This Purpose Enter Upon the Land of Anyone—All Powers Heretofore Conferred Continue In Full Force.—And for such purpose (surveys, etc.), the said City, by its officers, agents, servants or employees, shall have the right to enter upon the land or water of any person, and all the rights, powers, and privileges heretofore conferred by the Legislature under any bill enacted by the same upon said City for erecting and maintaining waterworks, are hereby revived and continued in full force for the purposes of this Act, in extending said waterworks, or in erecting new waterworks, either or both, as the case may be.

Sec. 275. May Have Rights of Way For Canals, Aqueducts, Etc.—The City, by its agents aforesaid, may construct its works, or lay its pipes, upon acquiring the property or right so to do, as the case may be, with the necessary way or ways, dams, canals, raceways, reservoirs, excavations or embankments, and do all acts and things necessary for the construction and maintenance of said works.

Sec. 276. May Lease, Buy or Condemn Property, or Acquire by Donation the Same, For Waterworks.—And (said City) shall have the power to lease, or buy, or condemn any property, real or personal, anywhere in this State, for the purpose, or acquire the same by donation, and to sell, lease or dispose of any part thereof not found necessary for the works, at the pleasure of the City.

Sec. 277. May Obtain Gravel, Stone, Earth and Timber—Cut Down Trees, If Necessary—Take Land For All Such Purposes—Pay For Same.—And said City, by its agents as aforesaid, shall have power to obtain gravel, stone, earth, timber, or other material, and to take such land as may be necessary for the proper construction, operation, and security of said works, and to cut down any trees, that may be necessary therefor, or security of the same, making compensation therefor as by this bill or under the law provided for property taken for public use, and shall have all other powers and authority necessary and appropriate to accomplish the objects of this Act.

Sec. 278. Rights and Remedies of City and Property-Owners In Condemnation of Property.—The rights and remedies of said City, and all persons and corporations, whose property, franchises, easements, or rights, it may seek to condemn or appropriate for the purposes of this Act shall be those contained in and set out in Part 2, Title 1, Chapter 1, Section 1689, sub-section L, of Code of Georgia of 1882 for condemning and making compensation for property, where the same is sought to be taken for railroad purposes, substituting the said City as the pro-movant in such proceedings in lieu of the railroad company, as in said Section contemplated, and, if in any respect, the rights and remedies in said Section set out should be found inappropriate, then the rights and remedies shall be the same as is contained and provided in the Act of the Legislature of said State originally authorizing the City of Atlanta to provide and erect waterworks, and in the several amendments afterwards made thereto.

Sec. 279. May Use Streams for Power—Compensation Therefor.—Said City shall have power to use and employ for the purpose of said works any stream or streams of water or water-course or water-courses, or any part of such waters, which by said City shall be deemed necessary and appropriate; to use such waters by employing the same for power to run or move the necessary machinery, or for pumping through the mains, and distributing over the City, either or both as the case may be, making compensation therefor as by law required.

Sec. 280. May Lay Mains Along Streets, Highways, Crossing, Occupying or Appropriating Same, Or Any Part.—Said City

shall have the power to lay its mains along any street or highway, or otherwise, whenever necessary; to cross, occupy, or appropriate with its works such highways or streets or any part thereof.

Sec. 281. Control of Work—By Whom.—The work contemplated under this Act shall be carried on through the agency of the Board of Water Commissioners of said City, under the direction and control of the Mayor and General Council of the same.

Sec. 282. This Authority Continuation of Previous Authority—All Existing Laws As To Old Waterworks Effective For New.—The works provided for or contemplated under this Bill are to be deemed and taken as a continuation of, and in lieu of, the waterworks heretofore enacted and used by said City, and all existing legislation, as well as the ordinance of said City, forbidding trespasses or any interference with said waterworks, and all sanitary laws and regulations relative to the same are hereby revived and made applicable to the said new works, or extended works, as the case may be, with the same remedies, pains, and penalties as by previous Acts and ordinances of the City of Atlanta, or the general laws of the State, are or may be provided.

Sec. 283. Can Not Sell or Lease for Longer Than Five Years Old Waterworks Property—Penalty for Violation.—The Mayor and General Council, or Board of Water Commissioners, or other officers of said City of Atlanta, shall have no authority or power to sell, exchange, or lease for a term longer than five years the property now belonging to the City of Atlanta, known as Lakewood, or the old waterworks property, same being the property, on which is located the old water reservoir, to the South of the City of Atlanta; and any official voting therefor shall be deemed guilty of having violated his duty, and subject to impeachment and removal from office.

Sec. 284. Can Not Sell Or Lease the System of Waterworks—Penalty For Violation.—The Mayor and General Council, or Board of Water Commissioners, or other Officers of the City of Atlanta, shall have no authority or power to sell, exchange, farm out, lease out, or in any way alien the property, easements, in-

come or other equipment, privileges or assets belonging and appertaining to its system of waterworks; and all contracts, negotiations, grants, leases, or other forms of transfer in violation of this Act are declared void and of no effect, as against said City, and any official voting therefor shall be deemed guilty of violating his duty, and subject to impeachment and removal from office therefor; Provided, however, the provisions of this Section shall not apply to the sale, exchange or alienation of such articles or equipments of said waterworks plant as are worn out or useless, or which for the betterment of the service can be advantageously substituted by new or improved machinery or equipment.

Sec. 285. Provision For Financing New Waterworks—Employment of City Reserve Funds.—For the purpose of carrying into effect the objects of this Act, the said City shall have power to use and employ the fund or funds accumulated under the Charter of said City, under the Act of the General Assembly of said State, approved December 18, 1884, relative to providing a fund for the purpose of making a part of the taxes of each year available for current expenses during a portion of the succeeding year, and under the several Acts, of which said last-recited Act is amendatory, and for the purpose aforesaid, the City of Atlanta shall have power to make any contract or contracts, or to incur any obligation upon the means and resources of the City, not repugnant to the Constitution of this State; and that to supply the place of accumulated funds diverted or used, as above specified, there shall be annually set apart twenty-five thousand dollars of the revenues of said City, commencing with the year 1887, until a fund of two hundred and fifty thousand dollars has been accumulated, which shall be applied as contemplated, and required from year to year, as required by said Act of December 18, 1884, and the several Acts, of which the same is amendatory; and in the meantime said City may make such temporary loans as are actually necessary in the beginning of the year to anticipate the revenues until collection of the same begins to flow into the Treasury in the summer months. (Obsolete.)

Sec. 286. Procuring Funds From Others—How—Option to Purchase Later, When In Funds, Etc.—Said City shall have power, if by it deemed wise to do so, to procure from any person

or persons willing thus to invest the funds, in whole or in part, necessary to extend said works, or to erect new works, and to vest the title to a corresponding part of the property, or the whole of it, as the case may be, to him or those thus advancing the money, upon the agreement that the City have an option to purchase and pay for a title to the property at a future day whenever the City shall be provided with funds or means of doing so, the City in the meantime using and operating the works at an agreed rental, to be paid by it upon such terms and conditions as may be by the parties agreed on.

Sec. 287. Police and Sanitary Regulations New Waterworks—Violation of Regulations—Penalty.—The Mayor and General Council of said City shall have full power and authority to establish reasonable police and sanitary regulations over the new waterworks of said City, located at the Chattahoochee River, near the mouth of Peachtree Creek, in Fulton County, and along the pipe-line of said waterworks system, between said river and the City of Atlanta, including said pipe-line, the reservoir of said new waterworks system, the water-shed, and all lands occupied for the purpose of water supply, and to punish a violation of such regulation by fine or imprisonment as in case of violations of other ordinances of said City of Atlanta.

Sec. 288. City May Use Water From Chattahoochee River—Ratification of City's Acts In Establishing Works—Not Liable For Suits on Account of Use of Water.—The City of Atlanta is hereby empowered and authorized to use the waters of the Chattahoochee River for the purpose of supplying its system of waterworks with water, and all acts of said City, its Mayor and General Council, and its Board of Water Commissioners whereby lands have been purchased alongside said river, pumping stations erected thereon, mains built therefrom, reservoirs and power or other pumping stations erected for the purpose of securing a pressure on the water in such mains whereby the water might be supplied to the City of Atlanta for the purpose of securing the health of the citizens thereof, and the preservation of the property and for all municipal purposes, be and the same are hereby confirmed and its future use for the same and similar purpose is hereby granted and authorized. The City shall not be held liable for any suits at law, or in equity, on account of the use

herein authorized or for any enlargement of said use by reason of the increased growth of said City.

Sec. 289. Authority Heretofore Granted Preserved As To Construction of Waterworks, Condemnation of Property, Issuance of Bonds, Etc.—The grants of authority to said City of Atlanta to construct new waterworks, to acquire property for that purpose by purchase or condemnation, to issue bonds to be sold to pay the expenses of the construction of such works, and all authority heretofore granted said City in reference to the proposed system of waterworks, is continued in full force and effect, especially all the provisions of the Act approved September 5th, 1885, October 1st, 1887, and December 4th, 1889, except Section 7 of the Act of 1885 aforesaid, providing for the use of the sinking fund of said City, and all authority heretofore granted any system of waterworks, or hereafter to be granted to any such system, is hereby conferred upon the City of Atlanta with reference to the system of waterworks herein authorized to be constructed.

CHAPTER XVIII.

SEWERS AND DRAINS.

Sec. 290. Authority to Lay Sewers and Drains.—Said Mayor and General Council shall have full power and authority to lay down sewers and drains in said City.

Sec. 291. Construction Under Direction of Chief of Construction.—All work of laying down or constructing sewers or drains shall be done under the direction and supervision of the Chief of Construction.

Sec. 292. Necessity for Sewerage—Plans—Estimates of Cost—Who Furnishes.—The Chief of Construction shall furnish to said Board (of Health) information and advice as to the necessities of any particular locality for sewerage, the kind of sewerage that may be desirable, with estimates of the cost of the same, and shall furnish plans and profiles and such other like works as may be necessary and proper.

Sec. 293. Assessments for Sewers—How Collected.—(They shall have full power and authority) to assess the amount of the cost of laying and constructing the same upon the real estate abutting on streets through and along which sewers and drains may be placed and constructed, and upon any real estate through and upon which the same may be constructed or placed. Amounts of assessments on real estate for constructing sewers may be collected by execution, levy and sale, as in street assessments.

Sec. 294. Construction of Sewers Provided For By Ordinance—Publication of Its Introduction—Time—When Passed.—The construction of all sewers under this Act shall be provided for by ordinance. After the first reading of an ordinance providing for a sewer, a notice of the introduction of the same shall be published in one or more of the daily papers of the City; such notice shall contain a statement of the line along which the proposed sewer

is to be laid, and a statement of the general character, material and size of such sewer. Said notice shall be published at least as many as ten days before the adoption of such ordinance, and said ordinance may be adopted at the next meeting after its introduction, or at any subsequent meeting after said notice has been published. Substantial compliance with the above requirement as to notice shall be sufficient.

Sec. 295. May Lay Sewers Through Private Property—To Ascertain Damage Assessors Appointed—May Appeal From Award—Four Days.—Said Mayor and General Council are hereby authorized to construct and lay down sewers through property in said City: Provided, That before doing so, any damage done to private property thereby shall be ascertained and paid. In order to ascertain the amount thereof, assessors shall be appointed, who shall act and report as in cases of opening streets in said City, and from whose award either party may appeal to the Superior Court of Fulton County within four days.

Sec. 296. Sewer Assessment—How Much—Rights of Abutting Property.—In all cases where a sewer shall be laid by or under the authority of said City in any street, the sum of seventy cents per lineal foot shall be assessed upon the property and estates respectively abutting on said sewer, on each side of said street in which said sewer is laid or constructed, and in consideration of the payment of said assessment the owners of said estates shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer. The remaining cost of all sewers not thus assessed shall be paid by said City out of the sewer appropriations for the year.

Sec. 297.—Sewer Connections to be Laid and Assessed with Sewers.—Power and authority is hereby given the Mayor and General Council of the City of Atlanta, in addition to assessing the cost for the construction of sewers in streets upon abutting property owners as now provided, to assess and collect from abutting property owners the cost of extending such sewers, for purposes of connection, to the property line, at the time such sewers are laid. The cost of such extensions shall be added to the cost of the construction of the sewer, as now provided by the charter of said City and the total cost thereof shall be assessed

against such abutting property owners and collected in the same manner as is now provided for the collection of sewer assessments against abutting property owners by the charter of said City.

Sec. 298. Sewer Assessments—How Much, When Laid Through Private Property—Rights of Abutting Property Owners.—In case any such sewer is laid down or constructed through or over any private property, along the course of any natural drain or otherwise, a like sum of seventy cents shall be assessed upon such property abutting upon each side of said sewer for every lineal foot, making in all one dollar and forty cents for every lineal foot to be assessed upon such property, through which the sewers are constructed as aforesaid, and, in consideration of the payment of said assessment, the owner of said estates respectively on each side of said sewer, through or over which such sewer may be constructed, shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer.

Sec. 299. Extent, Character, Material, Expense—How Governed—Sewers Laid Without Permission From Property-Owners.—The extent and character, material used and expense of sewers constructed, as well as the time and manner of constructing the same, shall be in the discretion of the Mayor and General Council of said City, and to be prescribed from time to time by ordinances, and upon like notice and in the same manner, and the assessments laid and enforced by execution, levy, sale, or otherwise, as in case of ordinances and assessments for the paving of streets in said City, except that sewers hereby authorized may be constructed with or without petition by property-owners, where, in the judgment and discretion of the Mayor and General Council the public health and good of the City shall require.

Sec. 300. Collection Resisted—How—Who Decides.—The Defendant shall have the right to file an affidavit denying the whole or any part of the amount, for which the execution issued is due, and stating what amount he admits to be due, which amount so admitted to be due shall be paid or collected before the affidavit is received, and the affidavit received for the balance; and all such affidavits so received shall be returned to the Super-

ior Court of Fulton County, and there tried and the issue determined as in cases of illegality, subject to all the pains and penalties provided in cases of illegality for delay.

Sec. 301. Corner Lots with Sewers in Both Streets—Exemption of 75 Feet From Assessment.—In case of real estate situated on street corners, and having frontage on two streets, the owner, and real estate thus situated, shall be assessed as by this Act provided for the frontage on the street, in which a sewer is first laid, and when a sewer is laid on the other street, seventy-five feet of frontage shall be exempt from assessment on the owner and real estate of the last named sewer.

Sec. 302. Assessment for Sewers a Lien on Real Estate—When.—The amount of such assessment for sewers on each piece of real estate shall be a lien on said real estate from the day of the passage of the ordinance providing for the work and making the assessment.

Sec. 303. Sewers Through Private Property—Claims For Damages—Adjustment.—In case of any sewer or sewers, or parts of the same, being built or laid over or through private property, if the owner of such property claim damages for the occupation of said lands by such sewer and construction of the same thereon, give notice of such claim, but a failure to give such notice shall in no wise affect or prejudice the right of such owner to bring suit for damages sustained. But upon giving notice of such claim for damages aforesaid, then assessors shall be appointed to assess damages to said land by reason or on account of the construction of any such sewer through or upon the same, said assessors to be appointed, notice given, and their award made as in case of property taken for opening, widening, or straightening streets under the charter and laws of said City.

Sec. 304. Assessments Due Contractor For Sewer—Collection in Installments—How—Proviso Restricting Mayor and General Council From Incurring Indebtedness.—The Mayor and General Council of the City of Atlanta shall have power and authority to provide by ordinance for the collection of assessments for the construction of sewers in instalments running through a

series of years to be fixed by such ordinances in all cases where the construction of said sewers is performed by a contractor or contractors; Provided, that said Mayor and General Council shall not have power and authority to incur indebtedness to be paid by the City from its Treasury on account of the construction of such sewers, which indebtedness is not to be paid in the year, in which it is contracted.

Sec. 305. Making of Sewer Connections May Be Regulated—General Supervision By Mayor and General Council.—For the preservation of all sewers in said City for the public use and easements aforesaid, the said Mayor and General Council shall have the authority to direct and control the time and manner in which connections shall be made with such sewers, and by whom the work is to be done, and upon what terms and conditions, and at what point and to what extent surface-water or drainage shall be permitted to flow into sewers, and generally all matters relating to the use and control and repairs of sewers and sewer connections, and replacing of paving and other adjacent structures in good condition shall be at all times under the regulation and control of the said Mayor and General Council in its fair and legal discretion.

Sec. 306. May Pass Ordinances For Further Regulation—Make Inspections—By Whom—May Withhold Plumbing Licenses—From Whom—When—Other Powers.—The Mayor and General Council of said City shall be authorized to provide by order, resolution, or ordinance of that body, from time to time, for the adoption and enforcement of additional and suitable regulations in said City, such as may be needful and proper on the subject of drainage, sewerage, plumbing, and all that is or may be needful for improved sanitation, and to provide agencies and means for carrying out and enforcement of the same through its officers, or any of its Boards, and to make all necessary inspections, to withhold authority and license for plumbing to any but competent persons and to do all else that is or may be needful to require compliance by individuals with the rules thus adopted, and shall have power to make alterations and amendments thereto, as from time to time may be needed.

Sec. 307. May Construct Sewers Without the City Limits—

May Operate Plants or Means for Disposal of Sewerage Without the City Limits.—The Mayor and General Council of the City of Atlanta are hereby authorized, in their discretion, to lay out and construct sewers, of whatever form, fashion, and material as in their judgment may be proper, safe, and sanitary without the limits of the City of Atlanta, as well as and to as full an extent as now authorized within the limits of said City and they are further authorized and empowered, in their discretion to prepare, construct and operate plants, means, methods or whatever system in their discretion is best for the disposal of sewerage matter, and said plants or systems or methods may be constructed and operated without the limits of the City of Atlanta, as well as within the limits of said City, in the discretion of the Mayor and General Council.

Sec. 308. May Condemn Lands Outside of City for Sewerage Purposes or Disposal Plans.—Power and authority is vested in the Mayor and General Council of said City to condemn lands, leases, and all other interest in real estate, whereby possession and title to land, and as much thereof as may be necessary, may be procured by said City for the construction of sewers, as above provided, as well as plants, means, or methods for the disposal of sewage matter, all as above provided, without the limits of the City of Atlanta, in whatever direction and to whatever extent it may be deemed necessary and proper within the discretion of the Mayor and General Council.

Sec. 309. Power of Eminent Domain—Tanyard Branch—Sewerage Outlet—Right to Condemn Adjacent Land.—The power of eminent domain is hereby conferred upon the city of Atlanta, in so far as may be necessary to take charge of and control the waters known as Tanyard Branch for sewerage and sanitary purposes, with the right to condemn said water-way and adjacent land as is now made and provided by law in such cases.

CHAPTER XIX.

BOARD OF HEALTH.

Sec. 310. Board of Health—How Composed.—The Board of Health of said City of Atlanta shall be composed of a number corresponding to the number of Wards in said City, except that the Mayor shall be ex-officio a member of said Board, and the Chairman of the Committee of the General Council, to which is referred matters relating to the Department shall also be ex-officio a member of said Board.

Sec. 311. Members of Board From Each Ward—How Elected—By Whom.—The other members shall be elected by the General Council, one to be selected from each Ward in the City of Atlanta.

Sec. 312. Two Residents of Same Ward Not Eligible At Same Time.—At no time shall two residents of the same Ward be eligible or permitted to serve on said Board at the same time.

Sec. 313. Shall Hold Office Three Years.—The members so elected shall hold office for a term of three years.

Sec. 314. Quorum.—A majority of (the Board) shall be a quorum for the transaction of business.

Sec. 315. Meetings—How Often—Duties.—It shall be the duty of said Board of Health to meet weekly, or as often as may be necessary, to visit every part of the City, and to report to the Mayor and General Council all nuisances, which are likely to endanger the health of the City or of any neighborhood.

Sec. 316. Abatement of Nuisances—Reports by Board of Health.—Said Mayor and General Council shall have power, upon the report of said Board of Health, to cause such nuisances to be abated, and its recommendation to be carried out in a summary

manner, at the expense of the party whose act or negligence caused such nuisance, or of the owner of the property, upon which the same may be located, as the Mayor and General Council shall elect.

Sec. 317. Board May Also Abate Nuisances.—The Board of Health of the City of Atlanta may exercise the same power as is now vested in the Mayor and General Council of said City, relating to the abatement of nuisances, which are likely to endanger the health of said City, or any neighborhood therein, to such extent, and under such regulations as may be prescribed by the Mayor and General Council; Provided, that nothing in this section shall be construed so as to divest the power to cause such nuisance to be abated, which the said Mayor and General Council have under this Charter.

Sec. 318. May Cause Drainage or Filling of Lands and Cellars.—The Mayor and General Council of the City of Atlanta shall have full power, upon the recommendation of said Board of Health, to cause the owners of lots or cellars, within the corporate limits of said City, to drain or fill the same to the level of the streets or alleys, upon which said lots or cellars are located.

Sec. 319. Penalty For Failure or Refusal to Comply with Order.—If the owner of said lots or cellars, or the occupants of the same, in the discretion of the Council, shall fail or refuse, after reasonable notice to him or his agents, to comply with the requirements of said Mayor and General Council, by draining said lots or cellars, or by filling up the same, it shall be lawful for said Mayor and General Council to have this work performed, and the amount so expended collected by executions issued by the Clerk of said Council against the owner or occupant of the lots or cellars, as the said Mayor and General Council may elect, and a sale under said execution shall pass a complete and perfect title to the property sold as a sale by the Sheriff under a judgment and execution.

Sec. 320. Compulsory Vaccination—By Whom—Penalty For Refusal.—Said Mayor and General Council shall have full power and authority to provide by ordinance for the frequent and compulsory vaccination of all persons in said City by suitable qualified physicians to be selected by the Board of Health of said City,

and to provide and enforce suitable and adequate penalties against any and all persons, who shall refuse to submit to vaccination in accordance with the provisions or requirements of such ordinance.

Sec. 321. Crematories—How Established and Operated—Where Located.—The City of Atlanta shall have power and authority upon the advice and recommendation of the Board of Health, and through the agency of said Board, or such other agency as it may select, to establish and operate crematories, as many as may be necessary, for the proper disposal of the night soil, garbage, and other refuse of said City, and at such different places as may be selected by said City, with proper consideration for the just and equal distribution of said refuse matter; Provided, nevertheless, that nothing in this Act contained, shall be held or construed to affect any pending litigation; and provided further that this Act shall not be taken or construed to relieve said City from any liability for damages, which may accrue to person or property from said crematories.

Sec. 322. Livery Stables—Where Located—Conditions—Limits.—The Mayor and General Council of the City of Atlanta shall have power and authority to determine by ordinances passed from time to time on what streets or within what limits livery stables hereafter erected shall be located, and to prohibit the erection or occupancy of places other than the places or the limits prescribed by such ordinances, and to enforce penalties for the violation of such ordinances as for the violation of other such penal ordinances of said City.

Sec. 323. Private Stables—How Regulated—When Erection Forbidden.—The Mayor and General Council of the City of Atlanta shall have power and authority to pass and enforce ordinances providing for the location, use, and cleanliness of private stables, and forbidding the erection of such stables when they are likely to be injurious to the health of citizens.

Sec. 324. May Pass Ordinances For Regulation of Sanitation.—The said Mayor and General Council shall have full power to pass all ordinances that may be necessary to carry the provisions of this Act into complete and full effect.

Sec. 325. Sanitary Appropriation—When Made—By Whom Expended.—The Mayor and General Council of said City, at the time the annual appropriations are made in June of each year, shall set apart and appropriate such amount as the probable income of the City will authorize for sanitary purposes, the same to be expended by the Board of Health of said City for such purposes.

Sec. 326. Act May Be Plead As Bar to Action Against Mayor and General Council.—This Act may be plead as, and shall be, a complete bar to any action brought against the said Mayor and General Council, or either of them, for any act done by them under its provisions and the ordinances passed in pursuance of it.

Sec. 327. Vacancies in Board—How Filled.—The Mayor and General Council of the City of Atlanta shall have full power and authority to fill any vacancies that may occur in the Board of Health.

CHAPTER XX.

PUBLIC WORKS, STREETS, SIDEWALKS, GRADES, ETC

Sec. 328. May Lay Out Streets—Widen—Straighten—Otherwise Change Same.—The said Mayor and General Council shall have full power and authority to open, lay out, to widen, straighten, or otherwise change streets, alleys and squares in the City of Atlanta.

Sec. 329. Damages—How Assessed—Right of Appeal.—Whenever the said Mayor and General Council shall exercise the power above delegated, they shall appoint two freeholders, and the owners of said lots fronting on side-streets or alleys shall, on five days' notice, appoint two freeholders, who shall proceed to assess the damages sustained, or the advantages derived, by the owner or owners of said lots, in consequence of the opening, widening, straightening, or otherwise changing said streets and alleys; and in case said assessors can not agree, they shall select a fifth freeholder, the said assessors to take an oath that they will faithfully discharge their duties, and either party to have the right to enter an appeal to the Superior Court of Fulton County within ten days from the rendition of said award.

(General law—Code of 1895, Sections 4657 et seq—covers the above, but none of this matter or following matter has been specifically repealed.)

Sec. 330. Assessors by City—When They Act—How.—If any property owner shall fail, after notification, to appoint assessors by the time prescribed, then the two assessors appointed by the City shall proceed to make the assessment, and, in the event they fail to agree they shall call in a third freeholder, who shall be sworn, and act with them, and the finding of the majority shall stand as the award, unless appeal be entered in conformity to law.

Sec. 331. Assessors—Duties—When Fifth Assessor Appointed—How.—Said Assessors so appointed, as now provided by the

Charter of said City shall within three days after notice to them of their appointment, meet at the office of the Clerk of the Mayor and General Council of Atlanta, at twelve o'clock M. on a day designated by said Clerk, and, if there is not a full attendance of such Assessors, those present shall adjourn until twelve o'clock on the next day, and it shall be the duty of the Clerk to at once give notice to such absent Assessor of such adjournment, and appointment for another meeting. At such first day, so appointed, or the day thereafter, as the case may be, those present shall take an oath before the Mayor, or any officer authorized to administer oaths, faithfully and impartially to perform the duties, for which they are appointed, and immediately after taking and subscribing the oath aforesaid, they shall, before proceeding to the consideration of the question submitted, select a fifth Assessor, who shall act as umpire, and take and prescribe the oath prescribed for Assessors, as above stated, and, should such fifth Assessor or umpire fail or refuse to serve, then another shall in like manner be selected, and so on until an umpire shall be chosen.

Sec. 332. If No Fifth Assessor Agreed Upon, Mayor and General Council Appoint—Award Made—When.—In the event that the Assessors appointed on the part of the City and those appointed on the part of the property owners cannot agree, or fail or refuse to agree on a fifth Assessor or umpire within two days after they organize, or take the oath as herein prescribed, the Clerk aforesaid shall at the next meeting of the Mayor and General Council, give notice of such failure or refusal, and said Mayor and General Council shall appoint or elect such fifth Assessor, and he, with any two or three more of the other Assessors, shall within five days thereafter proceed to make an award, and report the same as provided now.

Sec. 333. May Appeal From Award—Proviso.—This Act shall not be construed to repeal, or change the right of appeal from any award to the Superior Court, which now exists, nor to repeal or change the law, which now provides the mode of procedure and assessment in such cases where the property owner or owners fail on notice to appoint Assessors appointed by the City, nor shall this Act be construed to affect the right of the City to adopt or reject any award, as now provided by the Charter thereof. (See Section 346.)

Sec. 334. City May Decline to Take Property, If Award too High or Unreasonable.—Whenever it is proposed that any property be taken for public use, under authority of said City, in any department thereof, whether for streets, sewers, waterworks, or any public purpose, and the same shall be assessed, or a price fixed, or award made as provided by law, it shall be optional with the City Government to decline accepting the property, should the price thus fixed, or award made, be deemed by the General Council to be too high or unreasonable.

Sec. 335. May Fix System for Grading and Draining Streets.—The said Mayor and Council shall have full power and authority to establish and fix such a system of grading and draining of the streets of said City as they may deem proper.

Sec. 336. Permanent Grades Fixed—Application by Property Owner—Conditions—Owner Can Recover Damages, If Injury Done Afterwards.—Any person or corporation owning real estate in said City, within three-quarters ($\frac{3}{4}$) of a mile of the carshed, desiring to improve the same, shall possess the right to have the grade of any street, bordering on the same, permanently established, by complying with the following conditions, to-wit: The owner, his agent or attorney, shall make an affidavit stating the ownership and description of the property, that it is intended to make improvement on, either fencing or building, or otherwise; that such improvements are to cost above the sum of one hundred dollars, and that he desires to have the grade of such street or streets established. A copy of such affidavit shall then be served on the City Surveyor or Chief of Construction, whose duty it shall be, within thirty days thereafter, to make the necessary survey and fix the grade of such street, and make a plat or profile showing the same, and shall deliver it to the applicant, together with the affidavit of said surveyor, showing that the same is correct and fair, and upon the same being filed, together with the original affidavit, in the office of the Clerk of the Superior Court of Fulton County for record, the owner shall thereupon have a vested right in such grade, and shall be entitled to recover damages from the City for any injury done to said property, should the City thereafter alter such grade; such damages to be ascertained, recovered, and paid in the manner, in which the laws and ordinances in force at the time may provide for ascertaining,

recovering and paying damages done to property in laying out or widening streets.

Sec. 337. Applications not under Oath—When—Conditions—How Altered Thereby.—In case the owner of any real estate in said city desires to have the grade fixed, as aforesaid, for any reason other than a purpose to make improvements on the same, he shall make his application, in writing, not under oath, to the City Surveyor or Chief of Construction, but need not incorporate any reason therein, upon which all subsequent proceedings shall be the same as above set forth, such written application taking the place of the affidavit provided for in the foregoing Section of this Charter; Provided that, when the party proceeds by written application, not under oath, as aforesaid, the authorities of the City shall have six months instead of thirty days, in which to make and return the survey aforesaid.

Sec. 338. Mayor and General Council to Control Grades of Streets Fixed by Chief of Construction.—Nothing in this Charter contained shall operate to interfere with the control had by the Mayor and General Council of said City over the manner in which the City Surveyor or Chief of Construction shall execute their instructions, or the instructions of the Committees in regard to the grade of any street; but any failure or dispute, which may happen therein, shall not operate to delay, hinder or affect the remedy given by this Act (1874) to any owner of property seeking to have his grade established as aforesaid.

Sec. 339. Power to Grade, Pave, Macadamize Streets—Construct Sidewalks—Lay Curbing, Cross-Drains, Etc.—The Mayor and General Council of the City of Atlanta shall have full power and authority in their discretion, to grade, pave, macadamize, and otherwise improve for travel and drainage the streets and public lanes and alleys of said City, and to construct sidewalks and pave the same; to put down curbing, cross-drains, crossings, and otherwise improve the same.

Sec. 340. May Order Pavements or Sidewalks.—They shall have full power and authority to order such pavements or sidewalks laid down as they deem proper.

Sec. 341. If Not Laid Upon Order, As Above, Then City May Do So, and Collect.—Upon failure of any person to comply with the same within the time prescribed, the said Mayor and General Council may have the same done, and levy and collect the expense thereof by execution against the lands and goods and chattels of the owner of the lot or lots.

Sec. 342. May Assess Cost of Sidewalks and Curbing.—In order to fully carry into effect the authority above delegated, said Mayor and General Council shall have full power and authority to assess the cost of paving and otherwise improving the sidewalks, including all necessary curbing for the same, on the real estate abutting on the street, and on the side of the street on which the sidewalk is so improved.

Sec. 343. Equalize Assessments by Estimating Total Cost, and Prorating According to Frontage.—Said Mayor and General Council are further authorized and empowered to adopt by ordinance a system of equalizing said assessments by estimating the total cost of each improvement made, and prorating the cost thereof on the real estate according to its frontage on the street or portion of street so improved, in proportion to the number of front feet of each lot or parcel of land abutting on such street or portion of street.

Sec. 344. Assess Two-Thirds of Cost to Abutting Property.—The Mayor and General Council shall also have full power and authority to assess two-thirds of the cost of grading, paving, macadamizing, constructing side-drains, cross-drains, crossings, and otherwise improving the right-of-way, or street proper, on the real estate abutting on each side of the street improved. . . . One-third of said cost to be so assessed, as herein provided, upon the real estate abutting on one side of the street thus improved, and one-third of said cost to be assessed, as herein provided, upon the real estate abutting on the other side of the street so improved, in this way making up two-thirds of the cost to be assessed against the abutting property-owners, as above provided.

Sec. 345. Equalize Assessments by Estimating Total Cost, and Pro-Rating According to Frontage.—Said Mayor and General Council are further authorized and empowered to adopt by ordinance a system of equalizing said assessments by estimating

the total cost of each improvement made, and pro-rating the cost thereof on the real estate according to its frontage on the street or portion of street so improved in proportion to the number of front feet of each lot or parcel of land abutting on such street or portion of street.

Sec. 346. Petition for Paving Necessary—By Property Owners—Not Gotten up by Paving Contractors—Chief of Construction to Approve.—In order to exercise the authority hereinbefore conferred upon the said Mayor and General Council, it shall be necessary that the owners of at least one-half the real estate abutting on the street or portion of the street to be macadamized, paved, or otherwise improved, in writing petition to the Mayor and General Council to make such improvements; such petition in no case to be gotten up by paving contractors, and the work petitioned for shall have the approval of the Chief of Construction, who shall also furnish a statement of its estimated cost.

Sec. 347. Notice of Petition to be Published—How Long—How Acted Upon.—Upon the filing of such application, the Mayor and General Council shall cause a notice of the presentation of such petition, and of the time and place when the same will come up for consideration and action, to be published in one of the daily papers published in said City, at least ten days before an ordinance shall be passed based on said petition. When the petition comes up for action, opportunity shall be given to all persons interested to advocate or oppose the granting of the petition. An ordinance shall be passed directing the said work to be done.

Sec. 348. Decision of Mayor and General Council Final as to Rights of Persons, After the Work Is Ordered Done, and Is Done.—In all cases where the petition appears to be signed by sufficient frontage to authorize the passage of the ordinance, and the Mayor and General Council determine that it is sufficient to authorize the passage of the ordinance, which determination shall be evidenced by the passage of the ordinance, and the work is executed thereunder and notice has been published as hereinbefore provided for, the determination of the Mayor and General Council as to the sufficiency of the petition shall be final as to the rights and interests of all persons or corporations interested, who have not prevented the execution of the work by an injunction or

other appropriate legal or equitable remedy before it is commenced.

Sec. 349. May Repave — Similar Procedure — When.—The said Mayor and General Council shall have as full power to repave any street or alley, or portion of such street or alley, upon like petition, and after proceedings to levy and collect assessments therefor as in cases of original paving provided for under this Act, whenever in the judgment of said Mayor and General Council the paving originally laid on such street or portion of street or alley is worn out to that extent that it is no longer useful as a good pavement.

Sec. 350. Work Done—By Whom—Under Whose Direction. This work may be done under the immediate direction of the Mayor and General Council, or through the medium of contractors, each piece of work to be separately contracted for.

Sec. 351. City to Keep Streets In Repair—Paved or Unpaved.—The power and duty of the Mayor and General Council of said City to keep its streets, whether paved, or unpaved, in repair, and to pay for such repairs out of the general fund of the City is in no way affected by the passage of this Act.

Sec. 352. Material for Paving—How Selected.—The material to be used in paving or otherwise improving streets shall be such as the Mayor and General Council shall select in each case.

Sec. 353. May Pave Four Squares of Any Street Connecting with Paved Streets—When—Upon Petition of How Many—How Enforced.—The Mayor and General Council of said City are authorized in their discretion to grade, pave, macadamize, and otherwise improve for travel and drainage, the streets and alleys, not exceeding four squares thereof, which connect to other streets and alleys, not exceeding four squares thereof, which connect to other streets already improved, upon the petition of abutting owners, having less than one-half and not less than one-third frontage, the same to be done in the manner prescribed by said Act, or amendments to the same, the cost thereof to be ascertained, paid for, and payments enforced in like manner as is or may be provided by law and ordinance of said City in other cases.

Sec. 354. May Grade and Pave Four Squares of Any Street to Connect Improved Streets—When—Upon Petition of How Many—How Enforced.—The Mayor and General Council of said City are authorized in their discretion, in addition to the powers conferred by the above recited Acts, to grade, pave, macadamize, and otherwise improve for travel and drainage, streets and alleys in said City, not to exceed four squares of any street or alley, a portion of which street or alley is already paved or macadamized or otherwise improved, when such improvements by paving, macadamizing, or otherwise, will connect a portion or portions of such street or alley already improved, or will connect an improved portion of such street or alley with another improved street or alley, upon the petition of abutting owners having less than one-half and not less than one-third frontage on the street or alley, or portion of the street or alley, the improvement of which is petitioned for, the same to be done in a manner prescribed by said above recited Acts, of which this Act is amendatory, or amendments of either of said Acts, the cost thereof to be ascertained, paid for, and payment enforced in like manner as is or may be provided by law, and ordinances of said City in other cases.

Sec. 355. Assessment a Lien on Real Estate—When.—The amount of assessment on each piece of real estate shall be a lien on said real estate from the day of the passage of the ordinance, providing for the work, and making the assessment.

Sec. 356. Priority of Lien of Assessment for Street or Sidewalk Paving or Curbing or Sewers—Dates from Passage of Ordinance.—The lien given by existing law to the City of Atlanta for assessments upon abutting property, and also upon the property of street railroad companies, for street or sidewalk paving or curbing, or the construction of sewers, shall have rank and priority of payment, next in point of dignity to the liens in favor of the City of Atlanta for taxes due said City, such lien and priority of payment to exist from the date of the passage of the ordinance authorizing the execution of the work in each case.

Sec. 357. May Enforce Payment of Assessment—How—Execution Issued and Levied—How.—The Mayor and General Council of said City shall have authority to enforce the collec-

tion of the amount of any assessment so made for work either upon streets or sidewalks, by execution to be issued by the Clerk of Council against the real estate assessed, and against the owner thereof, at the date of the ordinance making the assessment, which execution may be levied by the Marshal of said City on such real estate, and after advertisement and other proceedings as in cases of sales for City taxes, the same may be sold at public outcry to the highest bidder, and such sale vests title in the purchaser as in case of tax sales, provided that the defendant shall have the right to file an affidavit denying that the whole or any part of the amount for which the execution issued is due, and specifying fully the grounds of such denial of liability, and stating what amount he admits to be due, which amount so admitted to be due shall be paid or collected before the affidavit is received, and the affidavit received for the balance, and all such affidavits so received shall be returned to the Superior Court of Fulton County, and there tried, and the issue determined as in cases of illegality, subject to all the pains and penalties provided in cases of illegality for delay: Provided, the Judge of said Superior Court shall have authority to dismiss any such affidavit of illegality for insufficiency before the time, when the same would regularly come up for trial.

Sec. 358. May Redeem Property Sold Under Execution for Paving as in Case of Tax Sales.—At all sales of property hereafter made under execution made in behalf of the City for the collection of street, sewer, and other assessments, the owner or owners, as the case may be, shall be authorized to redeem the same within the same time, on compliance with the same terms, and payment of same premiums, interest and cost as in cases of redemption of property where sold under tax *fi fa.* or *fi fas.* as now is, or from time to time may be, provided by law.

Sec. 359. Pavement or Repavement—Broken Stone and Chert Pavement of Streets—Laid without Petition—Advertised—Assessments for—Amount of 30, 40 and 50 cents per front foot.—The Mayor and Council of the City of Atlanta are hereby authorized and empowered, in their discretion, to pave or repave any of the streets or portions of streets or public places of the City with broken stone or chert, or chert and macadam, or similar pavement, providing the assessment upon abutting property owners will not exceed the sum of thirty (30) cents per

front foot on streets thirty feet in width; forty (40) cents per front foot on streets forty feet in width; and fifty (50) cents per front foot on streets fifty feet in width, without petition therefor, by said abutting property-owners, the laying of this character of street pavement being left entirely to the discretion of the Mayor and General Council, provided that any resolution seeking to pave a street or public place with the pavement above described shall not be passed when first introduced but shall thereupon be referred to the committee on streets, and the Clerk of Council shall advertise same one time in one of the daily newspapers of the City, at least ten days before the final passage of such resolution, such advertisement giving notice of the introduction of such resolution, the street, public place or portion thereof, proposed to be paved, the probable cost per front foot, and the property owners or others interested shall therein be notified to appear at the regular meeting of the General Council to be held following said advertisement and make such objections as they may desire to urge. Any property-owner or other person interested desiring to make objections shall arise in the Council Chamber, state his name and residence, the cause of his presence shall thereupon be recognized and permitted to state his objections to the proposed pavement observing all appropriate rules of the General Council. If no objections are made, then the General Council shall have the right, in their discretion, to pass such resolution; if objections are made, the General Council shall have the right, in their discretion, to adjudge same sufficient or insufficient, and if they find same insufficient, they are hereby empowered and authorized to order such pavement laid. When laid an ordinance shall be passed assessing the cost thereof in accordance with the provisions of this section, and the amount thereof shall thereupon become a lien on the property of abutting property-owners to the amount of the sum named in said ordinance, according to the front feet of such property-owners; the total cost of such pavement shall not exceed the sums above named. The City shall pay one-third of the cost of all pavement laid under the provisions of this amendment and the remainder of the cost thereof shall be assessed against the abutting property-owners, as above described, provided that any street railway company having tracks running through any street, public place or portion thereof paved under the provisions of this section shall be required to pay the whole cost of paving or re-paving or otherwise improving the street,

under the provisions of this amendment, for the full distance of eleven feet in width of any street, portion of street, paved or repaved under the provisions of this section, and the assessing ordinance shall so assert the lien and declare same at the time other assessments are made, and in case the street railway company shall construct a track in any street, public place or portion of street after same has been paved under the provision of this section, it shall likewise pay for the paving, eleven feet in width of such street, public place or portion of street occupied by its tracks, according to the value of the pavement at the time, to be adjudged alone by the Mayor and General Council. Such payment shall be distributed between the owners of property abutting thereon at the time such pavements are laid, in proportion to the amount originally paid by the owners of property at the time the pavement was laid. In all cases where streets, public places or portions of streets are paved on which street railway companies have tracks and the foregoing provisions with reference to the payment of the cost of paving or improving such street, public place or portion of street are applied and the cost of paving or re-paving eleven feet thereof assessed against the street railway company, then and in such event, the total cost of pavement of such street, public place or portion thereof, shall not be assessed against the abutting property-owners but such abutting property-owners shall only be assessed for the cost of such pavement after deducting the cost of paving, re-paving or improving assessed against the street railway company as heretofore provided, less also the sum paid thereon by the city, to-wit: one-third of such balance, that is to say, when such pavement is laid or re-laid the street railway company shall be assessed for eleven feet thereof, the City will pay one-third of the remaining cost and the balance thereof shall be assessed against the owners of property abutting thereon according to frontage but shall in no event exceed the sums above named.

Sec. 360. Street Railway Pays for Eleven Feet of Paving, Whether Paving Is Laid Before or After Laying the Track or Tracks.—Any street railroad company or street railway company having tracks running through any street or portion of street, which is to be paved or repaved by said City under the assessment plan provided for by the Charter or the general law of the State, shall be required to pay the whole cost of paving,

repaving, or otherwise improving eleven feet in width of said street or portion of street, whether such company has one or more lines of track therein; and in case any street railway or street railroad company shall construct one or more lines of track in any street or portion of street already paved, it shall likewise pay for the paving of eleven feet in width of the street or portion of the street occupied by its tracks, according to the then value of the payment to be judged of by the Mayor and General Council.

Sec. 361. Must Pave Between the Rails of Each Line of Track, and Four Inches Outside.—Whenever any street railway company lays a double track or line on any street in said City, and such street shall at the same time or thereafter be macadamized, or otherwise paved, such street railroad company shall only be required to macadamize or otherwise pave between the rails of each line of track, and for four inches outside thereof, this being equivalent to paving as now and hereafter required by law and Charter of said City.

Sec. 362. Certain Paving May Be Required of Street Railroad, Where It Occupies An Unpaved Street—Public Comfort and Safety.—When the consent of said City is given to the laying of street railroad tracks in or on a street, which is unpaved and without pavement improvement, said City may prescribe and require that the tracks shall be so laid, and such paving done between the tracks, and for such space on each side thereof, as will preserve the use, comfort and safety of such street for the public.

Sec. 363. Shall Pay For Paving, When Tracks Are Laid on Paved Streets—Discretionary with Council—Not to Exceed Paving Between Tracks and Four Inches on Each Side.—When street railroad tracks are laid in said City, on a street, which has already been paved or permanently improved, and upon which said Company has no track, said City may require such contribution or payment to said City for said City, and the owners of abutting property at the time of laying such tracks on account of the paving or pavement improvement of any such street as the Mayor and General Council of said City may deem proper (but such amount shall not be greater than in cases provided for under Section 1 of this Act.) (Charter amendment, 1891.)

Sec. 364. City May Enforce Payment—May Withhold Consent to Lay Tracks Conditioned upon Payment.—Said City may regulate and enforce the payment or collection of such amount of contribution, and may require payment of same before consent granted to lay such tracks, and may grant consent conditional on such payment thereafter.

Sec. 365. Street Railroad Liable for Pro Rata of Repaving.—Such street railroad company shall be liable for its pro rata of the costs to repave, when same is done according to law.

Sec. 366. May Assess Railroads and Street Railroads for Improvements Contiguous to Depots—How Enforced.—Whenever the public interest may so require, the Mayor and General Council of the City may, by ordinance, assess any railroad or street railroad company, as named in the caption, to improve the streets or sidewalk or both, or any sewer or drain, contiguous to the freight or passenger depot, and to do part or all of said work as right and justice may dictate, whether such work be petitioned for or not; and the mode of procedure and remedies to enforce the same shall be those provided for street or sewer improvement in other cases as now are or hereafter may be provided by law and the ordinances of said City.

Sec. 367. City May Transfer Bills and Executions for Paving, Curbing, Sidewalks, or Sewer Assessments.—The City of Atlanta is hereby authorized and empowered to transfer in payment of debts against said City, bills and executions in favor of said City for the cost of curbing, sidewalks, granite block and other street pavements, and of bills and executions for sewer assessments, whether such bills and executions be held by said City against abutting land-owners or against street railroad companies for furnishing and laying curbing, sidewalks, granite block or other street pavements and sewer assessments.

Sec. 368. Lien of Assessment Not Impaired by Transfer Above.—The lien in favor of said City against abutting land and the owners thereof, and against street railroad companies, now provided by law, shall not be impaired or in any manner affected by this Act, but the same shall exist, and may be enforced in the name of the City for the benefit of the transferee until the assessment shall be paid. Such bills and executions against street

railroad companies, when so transferred, shall be paid, and collections shall be enforced, as is now required and prescribed by law.

Sec. 269. Assessments May be Paid all Cash in 30 Days—or Installments, One-Fourth Cash—Balance One, Two and Three Years—Must Pay One-Fourth However, in Thirty Days.—Such bills against abutting land-owners, when so transferred shall become due and payable as follows: Payment shall be made within thirty days after the completion of the work, and presentation of the bill therefor to the person liable for the same or his agent. If the person so liable should not prefer to pay all the assessment within thirty days, he may pay twenty-five per cent. thereof in cash within the thirty days, and twenty-five per cent. per annum on all such deferred payments; Provided, however, that this privilege of paying part cash and postponing the payment of the balance, shall not exist unless the person liable for the assessment shall within the thirty days aforesaid pay the twenty-five per cent., and shall in writing, delivered to the transferee, declare his election to have the payment of the balance postponed, as herein above mentioned.

Sec. 370. Lien of Executions Preserved—Enforced in Name of City, Whether Transferred or Not.—If default shall be made in making a deferred payment, then all the unpaid assessments shall thereby become due and payable, and collection thereof shall be enforced as if no postponement had been made. All proceedings to collect the transferred assessments herein above mentioned, whether the transfers have been made of bills or of executions, shall be conducted as if no transfer had been made, and shall be had in the name of the City of Atlanta.

Sec. 371. City Not Liable to Contractor after Transfer Is Made and Accepted as Part Payment.—But said City of Atlanta shall not be liable to the contractor for all or any part of an assessment after the same shall have been accepted by the contractor as a payment on the debt due him for the work.

Sec. 372. Transfers Recorded As Are Tax Fi. Fas.—The transfer of executions, as aforesaid, shall be recorded, as in case of transfer of State and County tax fi. fas.

Sec. 373 All Public Work Done under Direction of Chief of Construction.—All work done in accordance with the above shall be done under the direction of the Chief of Construction. Surveys, grades, plans, profiles, and other like work shall be done by the Chief of Construction of said City.

Sec. 374. Position of City Engineer and Commissioner Consolidated under One Office, Chief of Construction.—The provisions of the present Charter providing for the position of Commissioner of Public Works and City Engineer, found in section 163 of the Charter of the City as published in the City Code of 1899, and all provisions in the other sections of the City Charter, referring to office of Commissioner of Public Works, to-wit: 164, 165, 166, 167 and 168 of said Code, and the City Engineer, to-wit: 208 of said Code and any other sections not being enumerated, be amended by striking the names "Commissioner of Public Works" and "City Engineer" therefrom and inserting in lieu thereof the name of "Chief of Construction." The position of "Chief of Construction" is hereby created, and this office shall have all the power and authority heretofore given the offices of City Engineer and Commissioner of Public Works, and all such work as paving, sewers, curbing, sidewalks, repairing of same, engineering work, grades and any and all work of authority now vested in either Commissioner of Public Works or Department of Engineering shall hereafter be vested and exercised by the Chief of Construction; no one shall be eligible therefor unless he be a competent civil engineer of ten years practical experience and the Mayor and General Council are hereby authorized to fix the salary of said office for a sum not exceeding Five Thousand Dollars per annum. Said Chief of Construction shall have authority to appoint his assistants but the Mayor and General Council have authority to decide how many assistants he shall have and the salaries of such assistants, but at least the following assistants are hereby created for said Chief of Construction, to-wit: one in charge of sewers, one in charge of streets, one in charge of sidewalks, one in charge of repairs, one in charge of stockade.

Sec. 375. Engineer and Commissioner of Public Works Abolished.—The Mayor and General Council shall, by appropriate amendments to existing ordinances, provide for the consolidation of all duties now divided by ordinances, to the two departments of Commissioner of Public Works and City Engineer, and same

are consolidated into one department thereby creating "Chief of Construction" department and the offices of Commissioner of Public Works and City Engineer of Atlanta are hereby abolished.

Sec. 376. Duties of Chief of Construction—How Defined.—The Mayor and General Council of the City of Atlanta shall, by ordinance from time to time, define the powers and duties of said Chief of Construction and shall before each election of said Chief of Construction, fix the compensation of said officer, which shall not be increased or diminished during his term of office.

Sec. 377. Oath of Office.—He shall also take an oath before said Mayor that during his continuance in office, he will make all appointments and discharges of employees, and will make all selections or purchases of material, conduct and execute all contracts and dealings in behalf of the City, and will in these, as in all other respects, faithfully and impartially discharge the duties of said office with an eye single to the duty and the good of the public service, without fear, favor, affection, reward, or the hope thereof, and without being in any manner influenced by his own interests or personal favor or interests of any other individual, whether member of Council or not, and that he will faithfully execute all orders of the City Government as officially expressed by the lawful ordinances or orders of the General Council, and approved by the Aldermanic Board, in case such approval be required by law.

Sec. 378. Other Offices May Be Consolidated with Chief of Construction.—It shall be in the power of the General Council to consolidate the duties of any other office or offices in any department of the City Government, other than charter offices, with those of the said Chief of Construction and to discontinue or abolish such position thus rendered unnecessary.

Sec. 379. He Shall File a Statement of His Real Estate Interests—Present or Future—Removal from Office Penalty for Failure.—The said Chief of Construction, before entering upon the duties of his office, shall file with the City Clerk a statement in writing, showing all the real estate in the City of Atlanta and County of Fulton owned by him, or in which he in any manner interested, either as proprietor, partner, co-partner, or other-

wise, with location and description thereof, and if, during his continuance in office he becomes owner, or interested as aforesaid in any such property, he shall within five days, supplement said statement by like entry and description thereof—and a failure to comply with the requirements of this Section shall be good cause for his removal from office.

Sec. 380. Extension of Alabama Street Authorized—Proviso.—Authority is hereby conferred upon the City of Atlanta to open and extend Alabama Street, in said City, from the central portion of said City westerly through land belonging to the State. The portion of the State's land, through which authority is hereby granted to said City to open and extend said Alabama Street is described as follows, to-wit: A strip of land sixty feet wide and five hundred feet long on the North side, and three hundred feet long on the South side of said proposed street, having an area of (24,000) square feet, and running through the Southwest corner of the State's Western and Atlantic Railroad vacant property (a plat of which for reference is filed herewith): Provided, that this grant of authority is expressly made subject to the rights of the present lessees of the Western and Atlantic Railroad under the Act providing for the lease of the same, approved November 12, 1889; the lessees of said Western and Atlantic Railroad having in writing assented thereto.

Sec. 381. This Grant Does Not Impair Lessees' Rights—City Shall First Pay the State \$2,500.00.—The intentions and purposes of this Act are to confer the grant aforesaid only as to the right and interest of the State without the impairment of any rights of lessees as aforesaid under Acts providing such leases: Provided, that before the rights conferred by this Act on the City of Atlanta shall have any force or effect, said City shall pay into the Treasury of this State the sum of twenty-five hundred (\$2,500.00) dollars, and this payment may be made at any time within six months from the approval of this Act, and on making such payment all the rights and provisions of this Act, shall by virtue of the same, have full force and effect.

Sec. 382. The City May Encroach on Western and Atlantic Railroad Property, in Making Alabama Street Extension—For What Purpose—Conditions.—The City of Atlanta is hereby authorized in extending West Alabama Street from its present

terminus westward across the property of the Central Railroad and the property of the State of Georgia, leased by the Western and Atlantic Railroad Company, at the point where the proposed street extension touches the Western and Atlantic Railroad property belonging to the State at grade * * * * to make an encroachment on said Western and Atlantic Railroad property lying on the South side of said proposed extension, for the purpose of constructing a roadway from said street extension into the property of the Central Railroad Company of Georgia, also lying on the South side of said proposed street extension; the location and size of which encroachment shall be such as indicated by the plat aforesaid; Provided, that before making such encroachment said City of Atlanta obtains consent of the Western and Atlantic Railroad Company, present lessees of the Western and Atlantic Railroad, and the property to be encroached upon as aforesaid, and also of the Central Railroad and Banking Company of Georgia.

Sec. 383. May Extend Alabama Street Across Railroads—Construct Bridge—Provide for Payment.—The Mayor and General Council of the City of Atlanta may, in their discretion, provide for the erection of a bridge over the tracks of the Central of Georgia Railway Company, and do all other work necessary to the extension of West Alabama Street to a point at or near the junction of Rhodes and Elliott Streets in said City, and in their discretion may extend an arm of said bridge or roadway, or said bridge and roadway, so as to connect with West Hunter Street at a point West of the tracks of the Southern Railway Company, formerly East Tennessee, Virginia and Georgia Railway Company, in said City, and to provide for the paying of the expenses of constructing said bridge and extending said street partly out of the income of said City for the year 1897, and the balance from the income of said City for the years 1898, 1899 and 1900, or any one or more of said years, in the discretion of said Mayor and General Council.

Sec. 384. May Institute Condemnation Proceedings for Right of Way.—The Mayor and General Council of said City shall have power and authority, in their discretion, to institute condemnation proceedings for the purpose of acquiring a right of way for the proposed bridge over, across or under, or partly over, partly across, or partly under the rights of way and other

property of the Central of Georgia Railway Company and the Southern Railway Company, formerly the East Tennessee, Virginia and Georgia Railway Company, such condemnation proceedings to be conducted in accordance with the requirements of an Act providing a uniform method of exercising the right of condemning, taking or damaging private property, approved December 18, 1904; Provided, however, that it shall be within the discretion of the Mayor and General Council of the City of Atlanta, as heretofore provided by the charter of said City, to accept or reject the awards made by the Assessors within the time limited by the Charter of said City.

Sec. 385. Railroad Companies Required to Erect Bridges Where Their Tracks Cross Streets—In Discretion of Council—Protection of Human Life.—The Mayor and General Council of said City of Atlanta are hereby authorized and empowered to require all railroads and railroad companies to erect suitable bridges across their tracks and road-beds, where the same cross the public streets of said City, in all cases in which said Mayor and General Council shall declare the same necessary for the protection of human life. It shall also be the duty of railroads or railroad companies having bridges erected, or when they may hereafter erect bridges across their tracks and roadbeds, where the same cross the public streets of said City, to keep said bridges, and the approaches thereto, and the foundations and pillars and supports thereof, in safe condition, and so as to admit of comfortable travel on any such street.

Sec. 386. Bridges Built or Repaired by City at Expense of Railroads—When.—In case of the failure of any railroad or railroad company, after reasonable notice to do so, to build or repair a bridge, or the approaches thereto or otherwise, as provided above, said Mayor and General Council shall have the authority to do such building, repairing, or putting in safe condition, at the expense, with interest and cost, of such railroad or railroad company, for which execution may issue, as other executions are issued by said City, and be levied on any property of such railroad or railroad company; and such execution shall bear interest at the rate of seven per cent. per annum. Provided, that nothing in this Section shall require railroads or railroad companies to build bridges otherwise than is required by the general laws of this State, or the charters of such railroad com-

panies, respectively, except in all cases in which a public street was in existence before the tracks of any such railroad or railroad companies were laid or placed across any such public streets.

Sec. 387. Mayor and General Council May Regulate Building and Repairing of Bridges—For What Purpose.—Said Mayor and General Council shall have the authority to regulate the building and repairing of such bridges, in so far as to declare the general character of such bridges or repairs, suitable to be made, and to provide for the drainage, light, and comfort of said bridge, and the street adjacent thereto or thereunder, and to provide for the least obstruction by supports and otherwise of any portion of the street, practical and consistent with safety.

Sec. 388. Waverly Place—Washington Street Viaduct—Ordinance Ratified—Vacation of Waverly Place—Further Ordinances Authorized, if Necessary.—The action of the Mayor and General Council of the City of Atlanta in passing the ordinance approved December 23, 1904, and the amendment thereto, approved January 21, 1905, providing for changing Waverly Place from its present location; for the securing of the Washington Street viaduct across the Georgia Railroad yards, and for the vacation of Waverly Place as changed, and for the other purposes therein set forth, is hereby ratified and confirmed, and said ordinance and amendment are hereby authorized and authority is hereby conferred upon the said City of Atlanta and the Mayor and General Council to enact such further ordinances and resolutions as may be necessary to carry out and enforce the ordinance first above stated, and the purposes therein stated, including the power to vacate and abandon Waverly Place as to both its present and changed location, subject to all the terms and conditions imposed by said ordinance and amendment, provided the terms of said ordinance shall apply to the Louisville and Nashville Railroad Company or the assigns or privies of the Atlanta, Knoxville and Northern Railway Company, and the railroad companies referred to in said ordinance, or any and all of them, and bond shall be given accordingly as contemplated in said ordinance.

Sec. 389. Authority to Close Parts of Rhodes and Mangum Streets in City.—The action of the Mayor and General Council

of the City of Atlanta in adopting the report of the Committee on Streets on the petition of Gate City Terminal Company, approved by the Mayor on November 24, 1906, providing for the closing and vacation of Rhodes Street from Haynes Street to Jones' Alley, and for the closing and vacation of Mangum Street from Hunter Street to Foundry Street, and for other purposes, set forth in said report so adopted by the Mayor and General Council, is hereby ratified and confirmed, and said report, as adopted by the Mayor and General Council is hereby authorized, and the consent of the State is hereby granted to the closing and vacation of said Rhodes Street from Haynes Street to Jones' Alley, and said Mangum Street from Hunter Street to Foundry Street; and authority is hereby conferred upon the said City of Atlanta and the Mayor and General Council to enact such further ordinances, resolutions, and votes as may be necessary to carry out the report of the Committee adopted by the Mayor and General Council above referred to, and the purposes therein stated, and to make any amendments or changes in the said report as the Mayor and General Council may from time to time enact by ordinance, resolution or vote, including the power to vacate and abandon Rhodes Street from Haynes Street to Jones' Alley, and Mangum Street from Hunter Street to Foundry Street, and permitting the changing in location and in grade, diverting, interfering with, and crossing the various other streets, as set out in said report, and to make any amendments or changes to the said report permitting other or different methods of changing the location and grade or crossing, or interfering with, the various streets set out in said report, by the Gate City Terminal Company, its successors and assigns.

CHAPTER XXI.

POLICE—BOARD OF POLICE COMMISSIONERS.

Sec. 390. Board of Police Commissioners—How Composed.

The Board of Police Commissioners shall consist of one member from each of the Wards in the City, now eight, but, if hereafter changed and the number of Wards increased, the Board shall have its membership enlarged so as to have therein one member from the residents of each of the Wards of the City.

Sec. 391. Ex-Officio.—The Mayor and Chairman of the Police Committee of the General Council shall be members of said Board, ex-officio.

Sec. 392. Terms.—At the termination of the present term of office the successors shall be elected for a term of three years each, and when other members are added to the Board, under the provision of this Section, they shall be likewise elected to serve for a term of three years each, on the first Monday in March following the addition of such new members to the Board, except the first members elected under this provision in order to complete the membership of said Board as herein required.

Sec. 393. Election.—This election shall be held at the first meeting of the General Council following the passage of this amendment.

Sec. 394. Terms.—Such number shall be elected to serve from said date and for a period of three years from the first Monday in March next, but also, including the intervening time between date of election and the first Monday in March next.

At the first regular meeting in March in each succeeding year an election shall be held to elect, for the term of three years, a Commissioner or Commissioners whose term or terms may then expire.

Sec. 395. Vacancy.—Should a vacancy occur in the Board during the year 1874, from other cause than the expiring of a regular term, an election to fill it shall be immediately held by the Council, any year thereafter by the General Council, and such incumbent shall hold until the unexpired term shall expire, and until his successor is elected and qualified.

Sec. 396. Term.—Each regular term shall begin at the date of the election, and close as hereinafter declared, and until a successor is elected and qualified.

Sec. 397. Oath of Office.—Each member of the Board, before entering on the duties of his office, shall take and subscribe this oath of office before some officer authorized to administer it: "I swear that I will faithfully and impartially demean myself as a Commissioner of Police during my continuance in office. I have not, in order to influence my election to this office of Commissioner, directly or indirectly, expressly or impliedly, promised my vote or support to any person for any office in the City of Atlanta, nor for any other office. I will not knowingly permit my vote, in the election or appointment of any person to position on the police force, to be influenced by fear, favor, or affection, reward, or the hope thereof, but in all things pertaining to my said office, I will be governed by my conviction of the public good."

Sec. 398. Oath Entered upon Minutes—Original Filed with Clerk of Council.—The oath shall be entered on the minutes of the proceedings of the Board, and the original shall be filed in the office of the Clerk of the City Council.

Sec. 399. Quorum.—Three shall constitute a quorum, with power to transact business.

Sec. 400. Meetings—How Often.—They shall hold a stated meeting each month, and such other meetings as the public interest may from time to time require.

Sec. 401. Shall Keep a Record of Proceedings.—They shall keep a record of their proceedings, and one of said Board shall act as Clerk thereof.

Sec. 402. Shall Elect Chief of Police and Other Officers.—The Board of Police Commissioners thus elected and qualified shall have the exclusive power, and it shall be their duty, to appoint a Chief of Police, and such other police officers and policemen as is or may be prescribed by City ordinance.

Sec. 403. Board Exercise Control of Police Force.—They shall exercise full direction and control of officers and members of the police force, in conformity to existing laws and ordinances, and such as may be made applicable to the subject.

Sec. 404. The Police Force—How Composed.—The police force of said City shall consist of a Chief of Police, and such other officers and men as the City shall by ordinance prescribe.

Sec. 405. Election of Chief and Other Officers—When—On What Condition—Term Indefinite.—Said Chief, officers and men shall be elected on the 2nd day of April, 1907, or prior to that date, if said Chief, officers and men shall resign from their present term, and thus relieve the City from its contracts, and, when so elected, shall serve without any fixed term or employment.

Sec. 406. Serve During Good Behavior and Efficient Service—May Be Discharged by the Board at Any Time.—Said Chief, officers, and men so elected shall serve during good behavior and efficient service, both of which to be judged of by the Board of Police Commissioners. Said Board of Police Commissioners shall be authorized at any time to discharge the Chief, officers, or men, or other employees of their department, without any liability attaching to the duty on account of said discharge.

Sec. 407. Board to Establish Rules on Civil Service Plan—All Officers and Employees to Serve under Civil Service Rules. Said Board shall furthermore establish rules and regulations for said department on the civil service plan, and all the officers and employees thereof shall serve under civil service rules during good behavior and efficient service, to be finally and exclusively judged of by said Board.

Sec. 408. Members of Police Force Take Oath—Give Bond as May be Required by Ordinance.—They shall take an oath

faithfully and impartially to discharge the duties imposed on them by the laws of the State, and the ordinances of the City, and shall give such bonds as may be required of them by the City ordinances.

Sec. 409. Duties of Police Force.—It shall be their duty to make arrests of any persons violating the ordinances of said City, with or without summons, and also with or without warrant. They shall likewise make arrests of any persons, who have violated the statutes of said State, and their arrests for such violations are hereby authorized, either with or without warrants therefor. They shall perform such other duties as may be imposed by the laws of the State, and ordinances of the General Council.

Sec. 410. Their Compensation—How Fixed—No Extra Pay or Allowance.—Their compensation shall be prescribed by ordinance, and shall not be increased or diminished during the calendar year. No extra pay or allowance or cost shall be made to any officer or members of said department.

Sec. 411. Force to be Armed and Uniformed.—The Mayor and General Council shall cause the entire police force of the City to be armed and so uniformed as to be readily recognized by the public as peace officers.

Sec. 412. City Furnish Arms—Remain City's Property—May Furnish Uniforms in Discretion of Mayor and General Council.—The arms to be furnished at the expense of and to remain the property of the City.

The Mayor and General Council shall have authority to furnish uniforms at the public expense to the members of the Police and Fire Department in the discretion of such Mayor and General Council.

Sec. 413. Failure to Perform Duty—Penalty—Suspension or Dismissal.—For a failure to perform any duty required by law or the ordinances of the City, or the rules of said Board, the officers and members of said department are subject to be suspended, either definitely or indefinitely, or removed from office,

by the decision of the Board of Police Commissioners, whose decision shall be final, and, when said officers or members are dismissed, no liability shall attach to the City for any further compensation.

Sec. 414. Mode of Preferring Charges—Any Member of Force May be Suspended, Till Session of Board to Hear the Case.—The mode of preferring charges against any officer or member of said department, and the manner of their trial, shall be prescribed by the rules of said Board. The Chief, any officer, or member, or employee of said department, may be suspended in the manner provided by the rules of said department until the session of the Board of Police Commissioners, at which the hearing may be had and sentence adjudged.

Sec. 415. In Case of Vacancy by Suspension, How Filled.—In case any officer or member or employee of said department is suspended, said Board shall provide for appointments to fill the vacancies during the suspension of the officer, or member, or employee.

Sec. 416. Civil Service Rules and Regulations to Govern.—The Mayor and General Council are given full, complete, and unqualified authority to establish, for the department of police, civil service rules and regulations, to the end that officers, members and employees shall serve during good behavior and efficient service, and to be promoted according to efficient service and length of time employed in said department, all of which to be adjudged of by said Board.

Sec. 417. Aldermen and Councilmen Ex-Officio Justices of the Peace—May Issue Warrants to be Executed by Marshal or Chief of Police—Commit to Jail, etc.—Each member of the Board of Aldermen and each member of the Board of Councilmen shall be, to all intents and purposes, a Justice of the Peace, so far as to enable them, or any one, or either of them, to issue warrants for offenses committed within the corporate limits of said City, which warrants shall be executed by the Marshal or Chief of Police, or either of the Lieutenants of Police, and to commit to jail in the County of Fulton, or to admit to bail offenders, provided the offense is bailable, for their appearance before the next Superior Court thereafter for the County of Fulton, and it shall be the duty of the jailer of said County to receive all such persons so committed, and safely keep the same until discharged by due course of law.

CHAPTER XXII.

RECORDER—RECORDER'S COURT.

Sec. 418. City Recorder—How Elected—By Whom—Term of Office.—There shall be elected by the people at the same time other City officers are elected, a Recorder. He shall hold his office for a term of four years, as provided under Section 1 of the Act of 1910, unless removed for cause to be adjudged of by the Mayor and General Council.

Sec. 419. Recorder May Hold any Other Office—Cannot Conflict, However—Duties, How Defined.—The Recorder may hold any other office not necessarily conflicting with his duties as Recorder. His duties not herein enumerated may be prescribed by ordinance.

Sec. 420. His Duty—His Authority.—It shall be the duty of the Recorder, when so elected, to preside at the City Court, known as the Mayor's Court, with as full and ample authority to try and dispose of all cases within the jurisdiction of the Mayor's Court, as the Mayor has under the provisions of this Charter.

Sec. 421. Powers—Shall Try Offenders.—When sitting as a Recorder's Court, he shall have full power and authority concurrent with the Mayor, Mayor pro tem, or one member of the General Council, to try all offenders against the ordinances of said City, and impose such penalties for violation thereof as may be prescribed by the ordinances of said City.

Sec. 422. Oath of Office.—Before entering upon the duties of his office, he shall take and subscribe an oath before some officer authorized to administer it, faithfully to discharge the duties of the same.

Sec. 423. May Be Removed for Cause—By Whom.—He may at any time be removed by the Mayor and General Council for cause, to be judged by them.

Sec. 424. Jurisdiction as to Trial and Abatement of Nuisances—Proviso.—The jurisdiction now vested in the Mayor and General Council of said City, under and by the laws of this State, as contained in the Code of Georgia in 1895, in Sections 4760 to 4768 inclusive, in respect to the trial and abatement of nuisances as set forth in said Code and Sections, be and the same is hereby devolved upon and vested in the Recorder's or Mayor's Court of said City. Said Recorder's or Mayor's Court shall have the same jurisdiction, power and duty as to the trial and abatement of said nuisances as the Mayor and General Council of said City has heretofore had, and said Mayor and General Council are hereby relieved of jurisdiction and duty to try, hear or abate such nuisances; Provided, and except that nothing in this Act contained shall divest the Mayor and General Council or Board of Health of said City of jurisdiction as to nuisances affecting health, as now provided by law.

Sec. 425. One Member of General Council May Hold Recorder's Court—Regulation of Call Upon Members by Ordinance.—Any one member of the General Council of said City is hereby authorized and empowered to preside in and hold the Recorder's or Mayor's Court of said City, whenever for any cause the Recorder, Mayor, or Mayor pro tempore, of said City cannot be in attendance to hold the same, and the Mayor and General Council of said City are hereby authorized to provide and regulate by ordinance how the designation or call upon any member of the General Council to preside as aforesaid shall be made.

Sec. 426. Recorder Pro Tem—May Create the Office—Prescribed Duties—Fix Compensation, Etc.—The Mayor and General Council of the City of Atlanta are hereby authorized and empowered to create the office of Recorder pro tem, to fix his term of office, prescribe his duties, and provide for his compensation.

Sec. 427. Recorder Pro Tem—When He Serves—Clerk of Recorder's Court May Act as Recorder Pro Tem.—The Mayor and General Council of the City of Atlanta are hereby authorized and empowered to create the office of Recorder pro tem, to fix his term of office, prescribe his duties, and provide for his compensation; said Recorder pro tem shall have the same authority to serve during the absence or disability of the Recorder

as is now vested in the Mayor, Mayor pro tem, Aldermen, and Councilmen by said Charter, and the designation of a Recorder pro tem to serve in the absence of the Recorder shall be on the same basis as Aldermen and Councilmen are now designated to preside in the Recorder's Court during the absence or disability of the Recorder. This amendment shall in no wise interfere with, or repeal the authority heretofore vested in the Mayor, Mayor pro tem, Aldermen, and Councilmen, to preside in the Recorder's Court, but said General Council shall, by ordinance, provide a method of selecting one to preside in the Recorder's Court, when necessary, from those qualified under the charter and amendments thereto governing the said City.

Sec. 428. Clerk of Recorder's Court Eligible as Recorder Pro Tem—Without Additional Compensation, However.—The Clerk of the Recorder's Court shall be eligible to fill the position of Recorder pro tem, but, when said Clerk is selected therefor, he shall serve without additional compensation.

CHAPTER XXIII.

SCHOOLS—BOARD OF EDUCATION.

Sec. 429. Public Schools—Power to Establish—Maintain—Regulate.—The Mayor and General Council of said City are hereby empowered to maintain a system of public schools, as now established by law, in the said City, which shall be free to all the children within the said City. And the said Mayor and General Council shall by ordinance, or otherwise, in their discretion, provide for appropriate agencies to regulate, improvise, and carry on said system of schools, and render the same efficient.

Sec. 430. Board of Education—Ex Officio Members.—The Board of Education of the City of Atlanta shall be composed of eight members, one from each Ward, and the Mayor and Chairman of the Committee of Council on Public schools shall be ex-officio members, and shall hereafter be recognized as one of the regular Boards of the City Government provided for by the Charter of said City.

Sec. 431. Existing Board Continued—Succession Provided For.—These provisions shall apply to the existing Board of Education (1897), the members of which shall continue in office until the end of the terms, for which they have been elected respectively, unless vacancies shall occur by death, resignation or removal from office; and any vacancy so occurring shall be filled by elections by the Mayor and General Council.

Sec. 433. Members of Board—How Elected—Term of Office.—Vacancies occurring by expiration of Term shall be filled by elections by the Mayor and General Council at the regular meeting next preceding the expiration of such term, and members thus elected shall hold office for a term of five years, and until their successors are elected and qualified.

Sec. 434. Board Elect Superintendent—Teachers and Officers of Public Schools—Govern Schools in Conformity with Ordinances.—The Board of Education shall elect the Superintendent

ent, teachers, and other officers of the public schools, and shall have supervision and government of such schools in conformity with existing ordinances, and such as may be made by the Mayor and General Council.

Sec. 435. Board Can Not Bind City for Contracts in Excess of Appropriation.—The Board of Education shall not have power to bind the City of Atlanta by contracts for the purchase of school property, or erection of school houses, or the furnishing thereof, or for salaries of officers or teachers, for any sum in excess of the annual appropriation made by the Mayor and General Council for the support of the public schools.

CHAPTER XXIV.

CITY ATTORNEY—CHIEF OF CONSTRUCTION—
BUILDING INSPECTOR.

Sec. 436. City Attorney—Chief of Construction—Election of—When—How Often—Hold Office Subject to Removal for Cause.—There shall be elected by the qualified voters of said City on the first Wednesday of December, 1894, and biennially thereafter, a City Attorney and Chief of Construction, who shall hold his office for the time prescribed by the 20th Section of this Act (1874), unless removed for cause, to be judged of by the Mayor and General Council.

Sec. 437. Sexton Shall Give Bond.—The City Sexton shall enter into bond, with good security, payable to said City of Atlanta, in an amount to be fixed and judged of by the Mayor and General Council for the faithful performance of the duties of his office. (Discretionary with Council. See Sec. 481).

Sec. 438. Duties of Above Officers.—Their duties shall be prescribed by ordinance.

Sec. 439. Oath of Office.—Before entering on the discharge of their duties, they shall each take an oath before some officer authorized to administer it, to faithfully perform the duties of their offices.

Sec. 440. Compensation—How Fixed.—They shall each receive a salary, to be fixed by the Mayor and General Council the year next preceding their election, which shall not be increased or diminished during their continuance in office.

(Original Charter of 1874 provided for three building inspectors, which has since been reduced in number to one. The original provisions of the Charter are retained, as throwing light upon the office and duties of the single inspector).

Sec. 441. Building Inspectors—Number—How Elected—Must Be Residents of City.—The Mayor and General Council of said City at the meeting when the other officers are elected, or at any subsequent meeting of said Mayor and General Council shall have full power and authority to elect three freeholders, residents of said City, Building Inspectors.

Sec. 442. Term of Office.—The said Building Inspectors shall hold their office for the term of two years, except those elected at the first meeting in January, 1875, or at the next, or any subsequent meeting thereafter. The Inspectors so elected shall vacate their office at the first meeting of the Mayor and General Council in July, 1875, at which meeting the Mayor and General Council shall elect Building Inspectors for the term of two years, after which time all elections to fill said offices shall be held biennially.

Sec. 443. Duties.—It shall be their duty, in connection with the Chief of Construction, to inspect all buildings and walls located on the various streets, lanes, and alleys of said City, when they shall be requested to do so by the Mayor, and to report the result of such investigation to said Mayor, with a recommendation to the best course to be pursued in reference to said buildings or walls, for the protection of the citizens.

Sec. 444. Recommendations of Building Inspectors to be Executed—By Whom—When—How.—The said Mayor shall have full power and authority to execute, in a summary manner, the recommendations of said Building Inspectors, or a majority of them, at the expense of the owner of said building or wall, or the owner of the lot upon which the same may be located, in the discretion of the said Mayor, should the said owner after such notice as may seem reasonable in the discretion of the Mayor, if notice can be served on him, fail or refuse to remove the obstructions reported by said Building Inspectors, or a majority of them, such expense to be collected by execution to be issued by the Clerk of Council; and the said Mayor and General Council shall have full power and authority to pass all ordinances, that may be necessary to carry this measure into full effect.

Sec. 445. May Substitute One Inspector for the Three—Qual-

ifications Necessary—Discretionary.—The Mayor and General Council of said City of Atlanta may, in their discretion, substitute for the three Building Inspectors provided for by Section 93, 94, and 95 of said Act of Incorporation (1874), including amendments heretofore made, a single Building Inspector, in which case the Building Inspector shall be either a professional architect and builder, or a civil engineer acquainted with the science of building.

Sec. 446. Duties of the Single Inspector—Powers, Etc.—In the event of the substitution of one Inspector in the place of three, as hereinbefore provided for, the Building Inspector, so to be elected, shall have all the powers and discharge all the duties devolving upon the present Building Inspectors under the Charter of said City and the laws of the State, and shall, in addition thereto perform such other duties and exercise such other powers and privileges as may be provided for by ordinances of said City.

CHAPTER XXV.

CHIEF OF CONSTRUCTION.

Sec. 447. Chief of Construction.—The position of **Chief of Construction** is hereby created and this office shall have all the power and authority heretofore given the offices of City Engineer and Commissioner of Public Works, and all such work as paving, sewers, curbing, sidewalks, repairing of same, engineering work, grades and any and all work of authority now vested in either Commissioner of Public Works or department of Engineering shall hereafter be vested and exercised by the Chief of Construction; no one shall be eligible therefor unless he be a competent civil engineer of ten years practical experience and the Mayor and General Council are hereby authorized to fix the salary of said office for a sum not exceeding Five Thousand Dollars per annum. Said Chief of Construction shall have authority to appoint his assistants but the Mayor and General Council have authority to decide how many assistants he shall have and the salaries of such assistants, but at least the following assistants are hereby created for said Chief of Construction, to-wit: one in charge of sewers, one in charge of streets, one in charge of sidewalks, one in charge of repairs.

Sec. 448. City Engineer and Commissioner of Public Works Consolidated.—The Mayor and General Council shall, by appropriate amendments to existing ordinances, provide for the consolidation of all the duties now divided by ordinances, to the two departments of Commissioner of Public Works and City Engineer, and same are consolidated into one department thereby creating "Chief of Construction" department and the offices of Commissioner of Public Works and City Engineer of Atlanta are hereby abolished.

CHAPTER XXVI.

CLERK OF CITY COUNCIL.

Sec. 449. Clerk of Council—How Elected—When—by Whom.—There shall be elected by the people at the same time other City officers are elected, a Clerk of Council, who shall hold office for a term of two years, as provided under Section 1 of the Act of 1910, unless removed for cause to be adjudged of by the Mayor and General Council.

Sec. 450. Oath of Office.—He shall take and subscribe an oath before some officer authorized to administer it, to faithfully discharge the duties of his office.

Sec. 451. He Shall Give Bond.—He shall give bond and good security, to be fixed and judged by the Mayor and General Council, for the faithful performance of his duties.

Sec. 452. Duties.—His duties shall be prescribed by ordinance.

Sec. 453. Compensation.—He shall receive such salary as the Mayor and General Council the year next preceding his election shall prescribe.

Sec. 454. He Shall Have and Use a Common Seal—Form, Device, Etc.—Fixed by Ordinance.—The Clerk of Council of the City of Atlanta shall have and use a common seal, whose form, device, and color shall be fixed by ordinance passed by the Mayor and General Council.

Sec. 455. Deputy Clerks—Their Authority—Legal Effect of Acts.—The Deputy Clerks of Council, whether one or more are appointed upon the authority of the Mayor and General Council, shall have all the authority of the Clerk of the Council, and are authorized to sign executions, licenses, and all other documents,

to which the signature of the Clerk of Council is necessary, using their own names, but adding thereto the words "Deputy Clerk of Council." The signatures of the Deputy Clerks of Council, when so signed, shall be recognized and given all the force and effect of the signature of the Clerk of Council.

CHAPTER XXVI.

MISCELLANEOUS POWERS AND PROVISIONS, EXERCISED AND TO BE ENFORCED.

Sec. 456. May Lease Buildings for Markethouses—Fifteen Years—Limit of Rental—Privilege to Purchase.—The Mayor and General Council are hereby authorized to rent or lease from any party, who may build a suitable markethouse or houses in the City of Atlanta, for a term not exceeding fifteen years, at a rate of rental not to exceed eight per cent. interest on the investment, and are hereby authorized to make such ordinances as are necessary and proper to protect the City in said lease; and provided, further, that said City of Atlanta be authorized to purchase said market or markets at any time during fifteen years at original cost of said market property.

Sec. 457. City May Establish Two or More Market Places Itself—Prescribe Ordinances for Governing Same.—The Mayor and General Council of the City of Atlanta shall have power and authority to establish two or more market places in said City for the sale of country produce, fresh meats, and other similar articles, and provide by ordinance for the government of said market places, and to prescribe the hours, in which such marketable articles shall be sold only at such market places, or at them and at other points within certain distances from such market places, as may be deemed best by said Mayor and General Council.

Sec. 458. Authority to Construct Forsyth Street Bridge—Provision as to Payment for Same.—The Mayor and General Council of said City are hereby authorized to provide for a bridge over the several railroad tracks on Forsyth Street in said City, and to provide for paying the costs of the construction of said bridge, partly from the income of said City for the year 1891, and the balance out of the income of said City for the years 1892 and 1893.

Sec. 459. Authority to Regulate Public Street Speaking—Prevent Street Obstruction, or Disorderly Crowds.—The Mayor and General Council of said City of Atlanta is empowered to provide by ordinance for the regulation of public meetings and public speaking in the streets of said City of Atlanta by preventing the obstruction of the streets of said City or the gathering of disorderly crowds in said streets.

Sec. 460. May Regulate Charges by Hacks and Drays—Hauling of Baggage or Merchandise—Transportation of Passengers.—The Mayor and General Council of the City of Atlanta are authorized to prescribe by ordinance reasonable charges to be collected by hacks, cabs, drays, or other licensed vehicles for the transportation of persons, baggage, merchandise, or other personal property within the limits of the City of Atlanta.

Sec. 461. Examination of the Workings of any of the Departments of the City Authorized—Committee Conducting Same May Compel Attendance of Witnesses—Compel Production of Books, Etc.—The City Government of the City of Atlanta shall be authorized and empowered, through a Committee of the General Council or of any of the Boards operating under the City Government or Committee of the same, to institute, in the discretion of the General Council, whenever necessary, any examination or examinations into the working and business of any of the offices, or conduct of its officers in any department of the City's business, or of the General Council itself, or of any office under the City, and that the Board or Committee conducting such examination shall have power to send for persons and papers, and to compel attendance of persons summoned; to swear witnesses, compel the production of papers and books and all disclosures pertinent to such investigation.

Sec. 462. Restriction of Time as to Renewal of Street Franchises.—The Mayor and General Council of the City of Atlanta shall have no authority or power to grant, consent to, or permit the extension, removal, or change of the term, for which franchises have been or may be granted, or in any way to extend or renew the time, for which permission has been or may be given to occupy the streets and public places except and only during the twelve months immediately preceding the expiration of the

term of such franchises and permit; and all extensions and renewals made in violation of this Act shall be void.

Sec. 463. Authority to Regulate or Prohibit Erection or Maintenance of Sanitariums—Boarding Houses—Discretionary—Previous Ordinances Ratified.—Power is hereby given the Mayor and General Council to control, regulate, and in its discretion prohibit, the erection and maintenance of sanitariums, boarding houses, and other similar places in residence portions of the City; and any ordinances heretofore adopted by the said Mayor and General Council in relation to the above subject matters are hereby ratified and validated.

Sec. 464. Mayor—Aldermen—Councilmen—Other Municipal Officers—Ineligible When.—It shall be unlawful for any person holding an office or position of trust, or emolument, or regular employment, under appointment by the President of the United States, or any Department of the Federal Government, or election by the people of the United States, or any of them, or any District in the United States, or under appointment by the Governor of Georgia, or any other officer or officers of the State or county vested with appointing power, or election by the people of the State or any County, or other political divisions of said State after the 31st day of December, 1900, to occupy or hold the position of Mayor, Alderman, or Councilman of the City of Atlanta, or membership on any executive Board of said City, or any other office or position of trust, honor, or emolument, or regular employment, in or under said City government, whether said office or position be by election or appointment or regular appointment during the time he holds said Federal, State, or County office or position; and neither the Mayor, Alderman, or Councilman, nor any other officer of said City, who, by virtue of election by the people, or appointment by the Mayor, or election or appointment by the Mayor and General Council, or any Committee thereof, or election by appointment by any of the Boards of the City Government, holds such office after the passage of this Act, shall be eligible to hold any other office or position of trust, honor, or emolument, or any other regular employment in the services of said City Government.

Sec. 465. Ineligible for Service on More than one Board—Exceptions.—Nor shall they or any person be eligible to service

on more than one of the Boards, such as police commissioners, water commissioners, board of health, or any other Board of said City now existing, or hereafter created, at the same time, excepting that service as City Investigator or Membership in the Board of Trustees of the Grady Hospital, or the Board of Trustees of Carnegie Library, or Board of Education, or Park Commission, Board of Firemasters, Board of Electrical Control or Cemetery Commission shall not disqualify such officer, or trustees, or members of said Boards for any other City Office, position, or employment.

Sec. 466. Members of General Council not Eligible as Members of Boards—Except.—Nor shall any member of the General Council be a member of any Board under said City Government except as is now or hereafter provided by the charter of said City, and that the acceptance by the Mayor, any Councilman, Alderman, or any other officer or regular employee of said City, after the passage of this Act, of any office or position of trust, honor, or emolument, or regular employment under the Federal, State or County Government, excepting the Board of Trustees of the Grady Hospital, or Board of Carnegie Library, or Board of Education, or Park Commission, Board of Firemasters, or Board of Electrical Control, shall immediately create a vacancy in the office, position, or employment he holds in or under said City government, which vacancy shall be filled in the manner provided by law; and that the acceptance by the Mayor or any Al. man, Councilman, or other officer or regular employee of said City Government, or Board or Department thereof, of any other city office, position, or regular employment shall likewise vacate the first office, position, or employment held by such officer or employee, except as hereinbefore provided.

Sec. 467. Bonds Required of City's Licenses—Discretionary—For What Purpose—For What Term.—The Mayor and General Council shall be authorized, in their discretion, to require any and all persons, firms, or corporations, licensed to do business, under the present charter provisions, to give a bond payable to the City, and conditioned to pay the City or anyone else, suing in the name of the City for their use, for injuries or damages received on account of dishonest, fraudulent, immoral, or improper conduct of the administration of the business so licensed. The amount of said bond shall not exceed five thousand (\$5,000.00)

dollars, and shall be given for the fiscal year. At the end of the fiscal year, a new bond shall be given for the succeeding fiscal year under the terms above provided. Any person or persons injured by the dishonest, fraudulent, immoral, or improper conduct of the administration of any business licensed by the City, and bonded as above provided, may sue on said bond for their own use, and the recovery, if any, shall be payable to said person or persons.

Sec. 468. Shall Maintain Carnegie Library—Appropriation Not to Exceed Five Thousand Dollars Per Annum.—It shall be the duty of the Mayor and General Council of the City of Atlanta, beginning with the annual apportionments and appropriations for the year 1900, to annually apportion, appropriate, and expend from the incomes and revenues of said City the sum of five thousand dollars, for the support, maintenance and operation of the free public library to be known as the Carnegie Library.

Sec. 469. May Condemn Lands for Public Buildings—Parks—Other Purposes—Take Possession—When—Conditions.—The City of Atlanta is hereby authorized and empowered to condemn land for sites for the erection of public buildings for said City for parks and other public purposes, in the manner already provided by law for the condemnation of land in said City, for opening, widening, or changing streets and alleys. Said City is hereby authorized and empowered, in any and all cases when land has been assessed or condemned for street, park, public buildings, sewer, or other public purposes of said City, on the coming in of the award of the assessors, on paying said award; or in the case of appeal from the award by either party on providing and securing the payment of said award or eventual condemnation money in the manner hereinafter provided in any case or cases in which appeal is taken by either party from such award, to enter upon and take possession of said land for the purpose or use for which the same has been condemned, and such entry or possession may be had by said City immediately after paying or securing payment of any such award, or the eventual condemnation money, and before the trial on the appeal case.

Sec. 470. Bond to be Given to Take Immediate Possession—How—For What Purpose.—In the case of any such award made

and appealed therefrom by either party, should said City desire immediately to enter upon and take possession of any land assessed or condemned for any purpose aforesaid, it may execute a bond with good security, subject to the approval of the Judge of the Superior Court of Fulton County, Georgia, or in his absence from the State, of the Ordinary of said County, for the payment of the eventual condemnation money, which may be found on the trial of said case. Said bond, when approved by the Judge or Ordinary, as above provided, shall be filed in the office of the Clerk of the Superior Court, and on the trial of the assessment or award appealed from, in the event of a recovery therein by the appellant against said City, such appellant shall have authority to enter up judgment on said bond for the amount of such recovery, as judgment may now be entered in appeal cases under the laws of this State.

Sec. 471. No One Can Bring Suit Against the City Before Claim is Presented, and Opportunity Given to Settle—Three Months' Time Limit—Such Presentation No Bar to Plaintiff's Right to Sue.—No person, firm, or corporation having a claim or money damages against the City of Atlanta on account of injuries to person or property, shall bring any suit at law or in equity against the said City of Atlanta on such account without first presenting such claim to the Mayor and General Council of the City of Atlanta for adjustment, and no such suit shall be entertained by the Courts against the City of Atlanta unless the cause of action therein has been first presented to the Mayor and General Council for adjustment; Provided, that upon the presentation of such claim in any case to the Mayor and General Council, said Mayor and General Council shall consider and act upon the same, favorably or unfavorably, to the petitioners within three months from the presentation thereof; Provided, further, that the action of the Mayor and General Council upon such claims, unless it results in the settlement thereof, shall in no sense be a bar to the plaintiff's rights in such cases in the Courts.

Sec. 472. Precedence Given City Cases—Subject to Right of Advancement of State and County Cases.—The Superior Court of Fulton County, Georgia, is hereby authorized and required to give precedence to and advance to trial any cases now pending, or which may hereafter be brought in said Court, to which the City of Atlanta is a party or materially interested in, in which

the collection of revenue or money due said City is involved, or in which there is an appeal from the award or finding of the assessors for damages sustained or for lands taken for parks, street, sewer, or other public purposes of said City authorized by law. When any case of the character aforesaid is ripe for trial, the same shall be subject to advancement and to precedence on the attention of the Court being called to the same, subject only to the right of advancement of cases, to which the State of Georgia or the County of Fulton is a party.

Sec. 473. Personal Property Levied Upon—Where Sold—How—Proviso.—Whenever any personal property has been levied on in the city of Atlanta, if of character to render its removal to the City Hall of more than ordinary expense or inconvenience, the same may be sold at any place within the corporate limits of said City, at public outcry, within the hours now prescribed by law, and after having given the notice required by law: Provided, the owner thereof gives his consent.

Sec. 474. Convicts—Authority to Farm Out—In What Manner.—The Mayor and General Council are hereby authorized to farm out all persons sentenced to imprisonment for violating the ordinances of said City, in the same manner and upon the same terms as the Ordinances of this State are authorized to farm out convicts.

Sec. 475. County Convicts Work on City Streets When—How—Under Whose Supervision.—The Commissioners of Roads and Revenues of said County are hereby invested with the exclusive control of said convicts (State misdemeanor convicts), and with the sole power to direct the work of the said convicts without reference to proportion of population between the City of Atlanta and the County outside of said City; Provided, that, whenever the said Commissioners of Roads and Revenues shall see fit to direct that said convicts shall work on the streets of the City of Atlanta, the grade, style, and character of the work shall be determined by the City authorities, but the particular locality or streets, upon which the work is to be done, shall be decided by a majority vote between the members composing the Boards of Commissioners of Roads and Revenues and Commissioners of Streets and Sewers of said City, or in the event of the abolishment of said Board of Commissioners of Streets and Sewers, the Street Committee of the City Council of said City.

IMPEACHMENTS.

Sec. 476. General Council Shall Try Impeachments—Who Presides When Mayor is Tried—How Convicted—Penalty.—The General Council of said City shall have the sole right to try all impeachments. When sitting for that purpose, they shall be under oath or affirmation. When the Mayor is tried the Judge of the City Court shall preside, and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in case of impeachment, shall not extend further than removal from office, and disqualification to hold any office of honor, trust or profit, under this Charter; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, and punishment, according to law.

Sec. 477. Officers May Justify—If Sued for Any Official Act.—Any of the officers of said corporation, who may be sued for any act done in his or their official character, may justify under this charter.

GENERAL COUNCIL.

Sec. 478. May Compel Attendance of Witnesses—May Take Bonds for Appearance.—The Mayor and General Council of said City shall have full power and authority to compel the attendance of parties and witnesses at the Mayor's Courts, and the meetings of said Council or General Council; and for this purpose said Mayor and General Council shall have full power and authority to take and receive of parties and witnesses such bonds as they shall deem necessary to secure the attendance of parties and witnesses, and to pass all ordinances necessary to carry this provision into effect, and to forfeit and collect said bonds in the same manner as such bonds are now forfeited in the Superior Courts of this State.

Sec. 479. May Establish Fee Bill for City Officers.—The Mayor and General Council shall have power and authority to establish a fee bill for the officers of said City, not higher than the fees allowed to county officers, or lower than those allowed to Justices of the Peace and Constables of this State.

Sec. 480. Salaries of all City Officers Fixed the Year Preceding Election or Appointment.—Hereafter the salaries, compensation, or emoluments of all the officers of said City, whether charter officers or otherwise, shall be fixed by the Mayor and General Council in office the year preceding the election or appointment of said officers, and such salary, compensation, or emoluments shall not be changed for or during the term, for which such officer was elected or appointed.

Sec. 481. Members of Administrative Board Serve Without Salaries.—From and after the first day of January, 1899, the members of the several Administrative Boards of the City of Atlanta, such as the Board of Police Commissioners, the Board of Water Commissioners, the Board of Health, the Board of Firemasters, the Board of Education, the Grant Park Commission, the Trustees of the Grady Hospital, and all similar administrative Boards of the City government, shall serve without salaries, whether such members of any of said Boards were elected before or after the passage of this Act.

Sec. 482. May Extend Fire Limits—Authority to Remove Structures Other Than Fire-Proof Buildings Within Same.—The said Mayor and General Council shall have power and authority to continue the fire limits as now established by law, and from time to time, in their discretion, to extend and enlarge the same, within which fire-limits so established, and to be established it shall not be lawful for anyone to erect other than fire-proof buildings, or structures of any kind other than fire-proof; and should anyone erect, or cause to be erected, within such fire-limits so established, any such buildings or other structures, said Mayor and General Council, after giving five days' notice, shall cause the same to be removed at the expense of the owners of such buildings or other structures, the said expenses to be collected by executions issued by the Clerk of Council; and the said Mayor and General Council shall have power to determine what buildings or other structures are, or are not, fire-proof.

ELECTIONS BY PEOPLE.

Sec. 483. Election of Certain Officers Provided for by the People. The City Attorney, Chief of Construction, Tax Collector, and Treasurer of the City of Atlanta, shall hereafter be

elected by the qualified voters of said City, provided this Act, does not interfere with the power of the Mayor and General Council, given by existing law, to abolish the office of Marshal, or to consolidate the offices of Marshal and Tax Collector, in their discretion, nor with the power given by existing law, to consolidate any of the other offices provided for by the Charter of said City with the office of Comptroller.

Sec. 484. Sexton—Left with Discretion of Council—Cemeteries, Provisions.—The office of Sexton shall be left hereafter to the discretion of the Mayor and General Council. Furthermore, all cemeteries owner or controlled by the Mayor and General Council shall be under the direction and supervision of said Mayor and General Council, and they shall provide the persons to operate the same, and the method of management, either with or without a Sexton, as they may deem best.

Sec. 485. Date of Elections—Term of Office.—The first election of said officers under this Act shall occur on the first Wednesday in December, 1894, at the time of the election of the Mayor, Aldermen, and Councilmen, and shall be for a term beginning on the first Monday in July, 1895, and ending on the first Monday in January, 1897, and all subsequent elections of such officers shall be held with the election for Mayor, Aldermen and Councilmen, or for Aldermen and Councilmen, occurring next before the end of the term of office of any of said officers, and shall be for a term of two years beginning on the first Monday in the January following such elections: Provided, the Mayor and General Council of said City may elect a Chief of Construction at the first meeting in January, 1894, who shall hold office until the first meeting in January, 1895, unless sooner removed for cause; and the Chief of Construction, to be elected by the people under authority of this Act, shall hold office for a term of two years beginning on the first Monday in January, 1895, unless removed for cause, as aforesaid.

Sec. 486. Vacancies in City Offices—How Filled.—Vacancies in any of said offices, whether occurring by removal or otherwise, shall be filled by elections by the Mayor and General Council.

Sec. 487. Officers Subject to Removal for Cause—by Whom. The officers of the City, whether elected by the people or other-

wise, shall be subject to removal from office by the Mayor and General Council, for cause, according to the provisions of the Charter now in force.

Sec. 488. Mayor and General Council Clothed with Same Powers as Mayors and General Council—Subject to Same Limitations.—The Mayor and Councilmen, in office in said City, are clothed with all the powers, rights and privileges, during their continuance in office, that by the terms of this Act are conferred on the Mayor and General Council as provided herein. The said Mayor and Council shall in like manner, be subject to the same limitations and restrictions. They shall have full power and authority to pass all needful ordinances, resolutions and by-laws, for the successful carrying into effect of this Act.

Sec. 489. Franchise of Piedmont Power Company Ratified.—The franchises and privileges heretofore granted by the City of Atlanta to the Piedmont Power Company of Atlanta are hereby ratified.

Sec. 490. Stockade—Prisoners under Council and Committee.—The stockade, or City prison, together with the employees and grounds thereof, the prisoners, guards, teams, and all other appurtenances thereof, shall be under the direct control of the Mayor and General Council, and such committee as it may see fit to put in charge thereof, and in addition to the ordinances passed by the Mayor and General Council, the Committee in charge of the City prison and grounds as above stated, shall have further authority to create and enforce such rules as they may deem advisable for the control of the convicts, employees and grounds at the City prison or stockade.

Sec. 491. Power to Vacate Bellwood Crossing and Build Viaduct in Lieu.—Power and authority is hereby given the Mayor and General Council of the City of Atlanta to close Bellwood Avenue where same crosses the railroads in the City of Atlanta, at what is now known as Bellwood Crossing, and for a distance of two hundred feet on each side of the approach to said crossing, or so much of said two hundred feet as may be deemed advisable in order to adjust said crossing to the proposed viaduct

to be built over the railroads at Bellwood Crossing, or divert same to Boss Avenue and the approaches thereto on either side. When said Mayor and General Council shall ordain the closing of so much of Bellwood Avenue, as is herein provided, said portion of said avenue shall thereupon cease to be a public street for any purpose.

Sec. 492. Fowler Street, a Projection of—Vacated.—The Mayor and General Council of the City of Atlanta are hereby given authority to close and vacate a short un-named street north of the main campus of the School of Technology. Said street being indicated on the plat of the Peters Land Company as beginning at the projection of Fowler Street, which abuts the northern limits of said campus and as running, from above point, due west to Cherry Street, a distance of five hundred feet with a width of fifty feet. Upon the adoption of an ordinance carrying out the terms of this amendment, said un-named street shall thereupon cease to be a public street or road for any purpose.

Sec. 493. Alderman May Succeed Himself in Office—When. The provisions of the charter of the City of Atlanta whereby Aldermen are authorized to succeed themselves as Councilmen, but are not eligible to succeed themselves in the position of Aldermen, are hereby further extended so that an alderman shall hereafter be eligible to succeed himself in the position of Alderman for one term, and, that the continuous service under this amendment be limited to six years, and an alderman succeeding himself in the position of alderman, shall be ineligible at the end of such continuous service for either the position of councilman or alderman, provided that after the intervention of one year those who have filled such offices are eligible for said positions with the usual rights of successorship.

Sec. 494. Marshal of Battle Hill Made a Policeman—All Honors and Rights.—The Marshal or police officer of the town of Battle Hill, at the time said town was incorporated within the limits of the City of Atlanta, and the charter of Battle Hill repealed, is hereby made a part and member of the department of police of the City of Atlanta on and after the approval of this Act, at the same pay as the other patrolmen of said department and he shall not be required to stand an examination or otherwise con-

form to the rules, ordinances or charter provisions governing eligibility or membership in said department and shall be credited with the years of service heretofore rendered the town of Battle Hill as if rendered to the City of Atlanta, and shall receive such honors, positions, pensions and other privileges attending long service, same being based on his former service in the town of Battle Hill, provided, that said officer shall be subject to all laws now in force or which may hereafter be enacted with reference to the department of police of the City of Atlanta and to all rules and regulations of said department, except as herein provided.

Sec. 495. Pensions—Policemen—Firemen—Teachers, and Other City Employees.—The Mayor and General Council are hereby empowered and authorized to establish and maintain a system of pensions as follows:

Sec. 496. When Disabled in Performance of Duties.—All policemen, firemen, teachers, and other City employees, who may hereafter become disabled by reason of any personal injury received in the line of their employment and in the legal discharge of their duty, so as to render them unable to perform service, may during the continuance of such disability be retired upon one-half of the salary, payable monthly, that such employee received at the time of such injury, subject to the examination and recommendations of the City Health Officer, approval of the Mayor and adoption or rejection thereof by the General Council as provided in sub-section (d) of this amendment.

Sec. 497. Twenty Years' Service, if Self or Wife not Possessed of \$10,000 in Assets.—All policemen, firemen, teachers, and other City employees who, after twenty years' continuous service in the employment of the City of Atlanta may become disabled by reason of ill health so as to render them unable to perform service and who in their own name, or whose wife or husband, living with her or him, as the case may be, do not own property to the value of Ten Thousand Dollars, may be relieved of duty and retired for a period of one year at a time, upon one-half of the salary, payable monthly, which such employees received at the time of such injury, upon the examination and recommendation of the City Health Officer, the approval of the

Mayor and the adoption or rejection thereof by the General Council, as provided in sub-section (d) of this amendment.

Sec. 498. Twenty Years' Service and Sixty Years Old, Etc.—

All policemen, firemen, teachers and other City employees who have performed twenty years' continuous service in the employment of the City of Atlanta, and who have reached the age of sixty years, and who, in their own name or whose wife or husband, living with her or him, do not own property to the value of Ten Thousand Dollars, may be relieved of duty and retired for the remainder of their natural lives, upon one-half of the salary, payable monthly, that such employees received at the time of such retirement, upon the recommendation of the heads of their respective departments, the approval by the Mayor and the adoption or rejection thereof by the General Council as provided in sub-section (d) of this amendment.

Sec. 499. Conditions—Examination and Recommendation—

Mayor and General Council Final.—No retirement, as above provided, shall be effectual or legal unless the following precedent conditions are made; First, an examination by such officers and employees by the City Health Officer and his recommendation that such officer or employee be retired. Second, in case of officers or employees coming under sub-section (c) of this amendment, the head of the department in which such officer or employee sought to be retired is employed, recommends that they be relieved of duty and retired. Third, which recommendation for retirement, herein provided for, shall, if the foregoing requirements are complied with, be filed with the Mayor of the City and he shall thereupon consider each recommendation separately and fix a time for passing upon same, giving notice to the person so recommended and giving the head of the department like notice, in which such applicant has been employed, and, at such time, he shall proceed to hear evidence thereon as to all the facts set forth in the application and as to any other facts suggested by either himself or the head of the department so served, and, if in his opinion, the person so recommended should be retired, as herein provided, he shall approve such recommendation and submit same together with the recommendations therefor, all other papers and facts connected therewith and a copy of the evidence taken, as herein provided, to the next meeting of the General Council, and at such meeting or at such other meet-

ing as the General Council may decide, the approval of the Mayor shall be adopted or rejected, and such action, by the General Council, shall be final.

Sec. 500. Statement of Service, Age, Physical and Financial Condition, and the Reasons.—The recommendations for retirement, as herein provided for, shall contain a statement of all facts relating to service, age, physical and financial condition of the officer or employee sought to be retired and a full and complete statement of the reasons for the retirement.

Sec. 501. None over Fifty Dollars a Month.—No payment of pensions paid hereunder shall exceed the sum of Fifty (\$50.00) Dollars per month.

Sec. 502. Election, General Manager of Water Works, City Marshal, City Comptroller, City Warden, City Electrician, Building Inspector, Recorder and Clerk of Council Elected by Vote of People—Term of Office—Removal from Office.—The following officers, to-wit: General Manager of Water Works, City Marshal, City Comptroller, City Warden, City Electrician, Building Inspector, Recorder and Clerk of Council, shall hereafter be elected by vote of the people, and successors to the officers now filling said positions, each of which positions are hereby made charter offices of said City, shall be elected by qualified voters of said City on the first Wednesday in December, preceding the expiration of the terms of said officers and, when so elected each of said officers shall hold their positions for the term of two years, except Recorder, whose term is hereby fixed for four years. Bi-annually, after the date of their first election under the terms of this Act, their successors shall be likewise elected, except Recorder, whose successor shall be elected four years after the date of his first election under this Act. The beginning of the terms of said several officers shall remain as now fixed, but the date of election shall be as herein provided. The Mayor and General Council shall have general supervision of said officials, and by majority vote of the entire Council, may declare vacant the office of any of the officials of the City, elected by the people, for a failure to properly perform their duties, or for any other breach of duty on their part, all to be adjudged in the discretion of the General Council. When an office has been declared vacant, under this provision, the General Council shall

call an election to be held within sixty days thereafter, to fill such vacancy, and in the meantime the General Council or the board having charge of the department, in which such officer serves, shall temporarily fill such vacancy. The duties of such officers shall be as now or hereafter prescribed by ordinance, and, before entering upon the discharge thereof, they shall each take an oath, before some officer authorized to administer the same, to faithfully perform the duties of their respective offices. Each and all of the provisions of the present charter of the City of Atlanta providing for a different method of electing said officers, and especially Section 6 of an Act amending charter of the City of Atlanta, approved December 20th, 1899, making City Clerk elective by General Council, and Section 3 of an Act amending the charter of the City of Atlanta approved August 3, 1904, striking the offices of Marshal and Comptroller from the provisions of the charter of the City of Atlanta, making them elective by the people, are hereby repealed, and furthermore, the words, "The Mayor and General Council may, in their discretion, at the time the Treasurer is elected, elect a Recorder," are hereby stricken from Section 141 of the Act establishing a new charter for the City of Atlanta, approved February 28th, 1874, and in lieu thereof the following is hereby enacted, "The qualified voters of said City shall elect a Recorder," and this language shall be inserted in lieu of the words stricken, as herein provided.

Ordinances

CHAPTER XXVIII.

AUCTIONEERS.

Sec. 503. License—How Obtained—Bond and Security—Amount—Conditions—Duration of License.—Any person or persons desiring a license as Vendue Masters in the City of Atlanta, shall make written application to the Mayor and General Council for such license; and if such license is granted, such person shall give bond and security to the Mayor and General Council of the City of Atlanta, and their successors in office, in the just and full sum of four thousand dollars, conditioned for the punctual payment of all taxes, and the faithful discharge of all the duties required of them by this State, and the ordinances of the City of Atlanta, which license shall be of force one year from the date thereof, and no longer.

Sec. 504. Oath—Before Whom—Subscribed and Deposited—With Whom.—Each Vendue Master shall, before receiving license, take and subscribe an oath, before the Clerk, faithfully to perform all the duties of a Vendue Master for said City according to the laws of this State, and the ordinances of this City, which affidavit shall be deposited with the Clerk of Council. —

Sec. 505. Returns of Sales—How and When Made.—Such Vendue Master shall, quarterly, on the first Saturday in the months of April, July, October and January, in each and every year, make returns on oath of the amount of his sales during the term of the three months next preceding the time of said return; and shall also pay through the Clerk of Council to the City Tax Collector, at or before the meeting of Council, to which said return is made, all money accruing to the city from duties or taxes upon such sales.

Sec. 506. Acting as Vendue Master without License—Pen-

alty.—Any person acting as Vendue Master in the City of Atlanta without a license from the authorities of said City, and any vendue master failing to make returns, or in any wise violating the provisions of this chapter, may be fined in any sum not exceeding one hundred dollars, or be imprisoned in the station house not more than thirty days for each offense, or both, in the discretion of the Recorder's Court.

CHAPTER XXIX.

AUDITOR—DUTIES—REPORTS.

Sec. 507. General Auditor.—The office of General Auditor for the City of Atlanta, be, and the same is hereby, created.

Sec. 507(a). Duties—Examinations—Access to Departments.—It shall be the duty of said General Auditor to make examinations and audits of the books, accounts, receipts, and disbursements of all officers, departments, and boards of the City of Atlanta, and for such purpose said Auditor shall have at all times access to all books, papers, receipts, and vouchers of the officers, employees, departments, or Boards of the City of Atlanta.

Sec. 508. Pay Rolls—Legal.—It shall be the further duty of said Auditor to make careful examination of the payrolls of each officer, department, or board of the City of Atlanta for the purpose of determining that they conform to all provisions of the ordinances and resolutions of the City of Atlanta regulating the same.

Sec. 509. Receipts—Authorized—Signatures.—It shall be the further duty of said Auditor to examine, check and audit all receipts and disbursements of each officer, department, or Board of the City of Atlanta, and to determine that all receipts, whether from regular sources of revenue or incidental sales, rents, or otherwise, are properly accounted for, and that all expenditures, for supplies, payrolls, expenses or otherwise, made by such officers, departments, or boards are authorized by action of the Mayor and General Council of the City of Atlanta, or by proper legal action of said department or board, and said auditor shall see that proper receipts are taken for all moneys paid out and disbursed, by the officers, departments or boards of the City and that said receipts are signed by the corporation, person or persons to whom such money is due and ordered paid.

Sec. 510. Quarterly Reports—Contents—Assets and Liabilities.—It shall be the further duty of said Auditor to prepare and file with the Mayor and General Council of the City of Atlanta a

quarterly report on the first days of January, April, July and October of each year, showing the assets and liabilities of the City of Atlanta. Said report shall shown in detail all of the real and personal property, owned by the City of Atlanta, and in whose charge, custody or control the same is held.

Sec. 511. Published—Official Organ.—Said report when so filed shall after approval of the Mayor and General Council be published one time in the official organ of the City of Atlanta for the purpose of disclosing to the public at large the actual condition of assets, revenues, and expenditures of the City of Atlanta.

Sec. 512. Duties Independent of Comptroller—He Not Relieved.—The duties herein provided to be discharged by said Auditor shall be in addition to those required of the City Comptroller of the City, and shall be independent of the same, and shall in no manner or form relieve said Comptroller from any of the duties that are now, or may hereafter be, required of him.

Sec. 513. Appointed—Finance Committee—Rejection—Term—Removal.—Said Auditor shall be appointed by the Finance Committee of the General Council subject to confirmation by the Mayor and General Council of the City of Atlanta. In the event of the rejection of any appointee so made, it shall be the duty of the said Finance Committee to make further appointments until the appointee of said Committee is confirmed by the Mayor and General Council. The name of the first appointee hereunder shall be submitted to the Mayor and General Council to be held on the third Monday in February, 1910. Said officer so appointed and confirmed shall hold office for a period of one year, beginning March 1, 1910. The term of the office herein provided for is fixed at one year, but any person appointed hereunder to the position of Auditor may be removed at any time for incompetency, misconduct, or neglect of the affairs of said office, by the Mayor and General Council upon recommendation of the Finance Committee.

Sec. 514. Qualification—Experience.—No person shall be appointed Auditor hereunder who has had less than five years experience as an Accountant.

Sec. 515. Salary—Monthly.—There shall be paid to the Auditor appointed hereunder a salary of \$2,400.00 per annum, payable monthly.

CHAPTER XXX.

AUTOMOBILES, BICYCLES, GARAGE.

Sec. 516.. Automobiles—Definition.—The term "Automobile," shall include all machines or vehicles known as automobiles, locomobiles, autos, and other vehicles propelled otherwise than by muscular power, except electric and steam railways or vehicles run upon rails and tracks, and excepting also bicycles and similar machines propelled exclusively by muscular pedal power, and excepting motor cycles.

Sec. 517. Certificates—Registration—License—Number in Owner's Name—Driver's License—Examination—License Carried on Machine.—It shall be unlawful for any person to run or operate an automobile without having secured a certificate of proficiency, or license, as hereinafter provided, and without having registered same with the Clerk of Council. This certificate or license shall be issued by the Clerk of Council, upon the payment of a fee of \$1.00 for each certificate or license, to those applicants only whose application is approved by the Board of Automobile Examiners, as hereinafter provided. It shall be the duty of the owner or owners of every automobile in the City to register said automobile with the Clerk of Council, who shall designate a number for said owner, which number must be attached to each automobile owned or operated by said owner as hereinafter provided, and must remain permanently as the only number upon said automobile or automobiles until the ownership of said automobile or automobiles changes. The Clerk of Council shall keep a book of records of such owners of such automobiles, with the addresses of same, and each automobile owned or operated by the same owner must be registered in the name of the owner and given a number by the Clerk of Council, which number must be displayed on each and every automobile owned by the same person. In cases where owners have already registered their automobiles, the Clerk of Council may assign the numbers already used by said owner. A charge of \$1.00 shall be made by the Clerk for registering the owner of an automobile

or automobiles, but if, at the time, or later during the fiscal year, such owner presents a certificate of proficiency from the Automobile Examiners to run an automobile, the Clerk of Council shall issue such license to run an automobile without cost to the owner. All licenses shall expire at the end of the City fiscal year after being issued, and before the party holding such license can continue to operate such automobile his license must be renewed by the payment of \$1.00 (one dollar) through the office of the Clerk of Council under the terms of this ordinance, and he shall have fifteen days in which to have said license renewed. All persons must, before running an automobile, be examined by the Board of Automobile Examiners as hereinafter provided. The Clerk of Council shall keep a record of all chaffeurs or drivers, the addresses of same, the number assigned them, but they shall at all times operate automobiles under the number assigned to the owner thereof. And it shall be unlawful for any owner to employ or allow any person to operate his or her automobile who is not a licensed chauffeur or driver under the provisions of this ordinance.

The Clerk of Council shall cause to be written or stamped across the face of the license of the owner, in readable letters, the word "owner," and across the face of the license of the chauffeur or driver, the word "driver." Each such licensee shall keep their certificate with them while running an automobile and shall exhibit same when required to do so by any officer of the City.

Sec. 518. Law of Road—Number Displayed—Owner.—Every person operating an automobile must observe the law of the road, and keep to the right hand side of the street, and shall operate or run each automobile displaying the number of the owner of such automobile, and it shall be unlawful for said licensee to run an automobile under any other than the number assigned to the owner of such automobile.

Sec. 519. Board of Automobile Examiners Established—Term—Duties.—A Board of automobile examiners is hereby established, to consist of three men, two men expert in the operation of an automobile, together with the Chief of Police as an ex-officio member of said Board. The elective members of said Board shall be elected at the first meeting of General Council following the approval of this ordinance, to serve, without compensation, for a period of two years thereafter, or until their successors

shall have been elected. All applicants for license to run or operate an automobile shall first submit their application to said Board, and said Board shall examine the applicant as to his proficiency and experience in handling or operating an automobile, as well as to the character of the applicant for discretion and sobriety. If said Board shall approve the application, then the Clerk shall issue a certificate or license to such applicant. If such Board declines to approve said application, then no certificate or license shall issue to said applicant, and it shall be unlawful for said applicant to run or operate an automobile within the limits of the City of Atlanta. Said Board shall issue no license to any person of less than sixteen years of age.

Sec. 520. Operators Must Observe Law of the Road—Shall Display Their Numbers—No One Can Operate Under Another's Number without Owner's Permission.—Every person operating an automobile must observe the law of the road or other vehicle, and keep to the right-hand side of the street, and shall operate or run each automobile displaying his own number; and it shall be unlawful for said licensee to run an automobile (not his own) without the written permission of the owner.

Sec. 521 Shall Display Number—Size—Shall Display Lights—When—What Kind—Shall Have Brakes and Signal Devices—Other Regulations.—In the operation or running of an automobile the person operating the same shall exhibit upon the back of said machine, in a conspicuous place, so as to be plainly visible at all times during daylight, in separate arabic numerals of not less than three (3) inches in height, his number, the strokes thereof to be of a width of not less than one-half inch, and no other number shall be placed upon the rear of said automobile. Every automobile shall carry (when operated upon the street) from one hour after sunset to one hour before sunrise at least two lighted lamps, showing white lights visible at least 200 feet in the direction, in which said automobile is proceeding, and shall also exhibit at least one red light visible in the opposite direction, and so adjusted that it will shine upon the number of the machine, so that it can be read at night. Every automobile shall be provided with good and efficient brakes, and also with suitable bell, horn, or signal device, and said bell or signal device shall be sounded whenever approaching danger. The person or driver in charge of the automobile shall not leave the

same upon the street with the engine running, but in departing from the automobile he shall stop the motion of the engine.

Sec. 522. Speed Limit Within Inner Fire Limits—Without Same—Further Restrictions of Speed on Viaduct—Exceptions.—It shall be unlawful for any person operating an automobile to run or operate same upon the streets of the City at a greater rate of speed than 8 miles an hour within the inner fire limits, and at a greater rate of speed than 15 miles an hour without such limits, or upon Whitehall street Viaduct, or the approaches thereto, at a greater rate of speed than a walk. Provided, that physicians and surgeons shall not be subject to the provisions of this section as to speed restrictions, when using their automobiles in answering emergency calls.

Sec. 523. Must Operate with Care—Avoid Collisions and Accidents—Cannot Operate under Influence of Whiskey.—It shall be unlawful for any driver or person in charge of an automobile to run or operate same in a careless or reckless manner, whether said automobile is running over or under the speed limits herein provided. Said automobiles must be operated with due regard to the safety of persons and vehicles upon the streets and public places, and in such manner as to avoid collisions therewith, and no person shall at any time operate the same, when he is under the influence of whiskey, or in an intoxicated condition.

Sec. 524. Penalty for Violation of Automobile Ordinance.—Any persons violating or participating in the violation of the provisions of any of the sections of this ordinance, or operating an automobile without obtaining the certificate or license herein provided for, or exceeding the rate of speed herein provided, or running an automobile in a careless or reckless manner, or without exposing the lights and numbers or giving the signals as herein provided, or violating any of the other provisions of this ordinance, shall on conviction in the Recorder's Court be fined not exceeding \$100 or sentenced to work upon the public works for a term of not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder, and provided further that, in case of such conviction, it shall be discretionary with the Recorder to suspend said licensee from the operation of his license for a period of not exceeding thirty days thereafter, and

upon the second offense or each subsequent offense, his license, in the discretion of the Recorder, may be suspended for not exceeding sixty days.

Sec. 525. Renunciation of Claims Against City for Damages.—All persons hereafter applying for registration as operators of automobiles and similar machines, under existing ordinances, and for license to operate same upon the streets of the City, shall have written or printed upon their application the following:—
“I agree that the automobile (or, if other machine is operated, let same be named) is not an ordinary mode of travel, and therefore agree not to make claim or suit against the City for damages to my person or said machine, in case of injury thereof on account of defects in the streets of the City, whereby said machine or myself is injured, while operating same thereon, unless such defects shall be dangerous to travelers using horses, buggies, wagons, or carriages, and liable to cause similar injuries to them.”

Sec. 526. Regulating the Use of Gongs.—It shall be unlawful for any other person, firm, or corporation, except the Fire Department of the City of Atlanta, the Police Reserve, and the drivers of the ambulances of the Grady Hospital to use the kind of gong used by these parties, to-wit: what is known as the “New Departure” or “rotary” gong.

Sec. 527. Penalty for Violation of Gong Restriction.—A violation of any of the provisions of the preceding section shall be punished, on conviction in the Recorder’s Court of the City of Atlanta, by fine not exceeding one hundred dollars or imprisonment not longer than thirty days in the discretion of the Court trying the case.

Sec. 528. Bicycles—Cannot Ride on Sidewalk.—It shall be unlawful for any person to ride a bicycle or velocipede upon any of the sidewalks within the City limits of Atlanta.

Sec. 529. Bicycles Must Have Gongs or Bells.—All persons riding bicycles are required to have gongs or bells on their machines, and they are required, when approaching street crossings, to ring said gongs or bells, so that sufficient warning may be given to persons of their presence.

Sec. 530. Speed Limit for Bicycles—Within Fire Limits—Outside—Penalty for Violation.—It shall be unlawful for any person riding a bicycle in the City of Atlanta to make a greater rate of speed than six miles an hour within the fire limits, and ten miles an hour outside of said limits. Any person violating this ordinance shall be punished, on conviction thereof, by fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 531. Cannot Run Between Street Cars—Or in Front of Same within Less than Fifty Feet.—It shall be unlawful for any person riding a bicycle in the City of Atlanta to run between street cars when passing each other, or to run in front of a moving car within less than fifty feet of the car, whether for the purpose of crossing the car tracks or of using the portion of the street between the rails.

Sec. 532. In Case of Collision, Presumption against Bicycle Rider.—In all cases of injuries to persons on the street, resulting from the collision between the person so injured and a bicycle, presumption shall be that such injury was the result of negligence or of a violation of this ordinance on the part of the rider of the bicycle, which presumption may be rebutted by evidence.

Sec. 533. Shall not Use Whistles Like Those Used by Policemen.—It shall be unlawful for the riders of bicycles to use whistles like those used by policemen.

Sec. 534. Penalty for Violation.—A violation of any of the provisions of the preceding sections shall subject the offender, upon conviction thereof in the Recorder's Court of the City of Atlanta, to punishment by fine of not exceeding one hundred dollars, or imprisonment of not exceeding thirty days, in the discretion of the Court.

Sec. 535. Motor Cycles, or Bicycle Motors—Must Use Muffler Attachment and Brakes.—It shall be unlawful to run, use or operate on any street within the City of Atlanta, what is known as a Bicycle Motor, unless said bicycle motor has a muffler attachment and brakes. Any person guilty of a violation of this section shall be punished by fine not exceeding \$50.00 or

imprisonment not exceeding thirty days, or both in the discretion of the Recorder.

Sec. 536. Motor Cycles to Have Numbers—Clerk Issues—Fee—Registration.—Every person operating a motor cycle or similar machine upon the streets or public places of the City of Atlanta shall display a number, which said number shall be designated by the Clerk of Council at a charge of fifty cents. Said Clerk shall keep a book for registering the numbers of all operators of motor cycles and similar machines, and shall register said numbers therein without additional charge.

Sec. 537. Numbers—How Displayed—Visible.—The sign displaying such number shall be conspicuously displayed upon such motor cycles or similar machines, and each figure thereon shall not be less than two inches in height, and one-half inch in width, and so displayed that it can be seen either in front or in the rear of the machine, and when so displayed shall not be covered up or concealed in any manner while said machine is being operated on the streets or public places of the City of Atlanta.

Sec. 538. Lights—Sunset—Sunrise—Front and Rear.—Between the hours of sunset and sunrise each motor cycle or similar machine being operated on the streets shall display a front and rear light which shall be kept burning.

Sec. 539. Speed—Eight Miles—Fifteen Miles.—It shall be unlawful for any person operating a motor cycle or similar machine upon the streets or public places of the City of Atlanta, to run the same at a greater speed than eight miles per hour within the fire limits, or greater than fifteen miles per hour outside of the fire limits.

Sec. 540. Penalty.—Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of an offense, and on conviction thereof in the Recorder's Court shall be punished by a fine not exceeding One Hundred (\$100.00) Dollars, or by work upon the streets or public works of the City of Atlanta for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 541. Passing Street Cars Not in Motion—Check Up—

Under Control.—Motor cycles or similar machines in passing a street car which has stopped to permit passengers to get off or on, or stopped for any purpose, shall be checked up, and put under control so that the rider can stop without hitting or injuring anyone leaving or entering such street cars.

GARAGE

Sec. 542. Garage Defined.—By the term garage is meant a building or that portion of building wherein an automobile or automobiles or motor cars charged with or containing a volatile or inflammable liquid for fuel or power are kept for rent, storage or repairs, and all that portion of the building that is on or below the floor or floors on which such automobiles are kept and not separated therefrom by tight unpierced fire walls and floors.

Sec. 543. Volatile Liquid Defined.—By the term "volatile inflammable liquid" is meant any liquid that will emit inflammable vapor at a temperature below 100 degrees Fahrenheit when tested in the open air.

Sec. 544. Assembly Hall, Lodge Rooms or Sleeping Apartments—Not in Same Building.—No part of any building, in which a garage is located or in which automobiles are kept, or stored, shall be used or occupied as an assembly hall, lodge room or sleeping apartments.

Sec. 545. Gasoline, How Kept.—The supply of gasoline shall be kept in an approved metal tank or tanks buried not less than two feet below the cellar floor if outside of the building or five feet if beneath the building and arranged to be drawn from by pumps only. Said tank shall be filled from the street and no single tank shall have a capacity in excess of 275 gallons.

Sec. 546. No Inflammable Liquid, Except Certain Amount, and Protected.—No volatile inflammable liquid shall be kept in a garage and no volatile inflammable liquid shall be drawn except into approved safety cans of a capacity not to exceed five gallons each, and then only for the purpose of immediately filling the tanks of automobiles. When not in use for the above purpose said cans must be placed and kept in the pump room,

hereinafter provided. In lieu of the above safety cans portable filling tanks, not to exceed 65 gallons in capacity, may be used for transporting inflammable liquid to and from the storage tanks, for filling and charging the automobile. The said portable tanks shall be supported on rubber tired wheels and shall be provided with a rubber hose attachment not to exceed eight feet in length, equipped at the end with shut-off valve with ground key.

No volatile inflammable liquid shall be used in a garage except in self-closing safety cans not to exceed one gallon for cleaning or for any purpose whatsoever other than filling the tanks for automobiles. No such liquid shall be allowed to run upon the floor or to fall or pass into the drainage system of a garage; nor shall any such liquid be put into or removed from the tank of a vehicle while any light or fire on the same is burning; and no such liquid shall be carried or kept in open vessels in any garage.

Sec. 547. No Fires, or Heat Therein—No stove, forge, torch, boiler or other furnace, and no flame, fire or fire heat shall be used or allowed in a garage.

All electric dynamos and motors and charging apparatus not actually a part of the automobile shall be located not less than four feet above the floor.

No prohibition contained in this section shall apply to boilers or furnaces used for heating purposes when same are properly installed. Repairing requiring open heat shall only be done in room properly cut off.

Sec. 548. Fire and Lights not Lighted or Allowed In.—All fire and lights on such vehicles or under the boilers thereof shall be extinguished upon the entry of such vehicle into the garage within ten feet of the threshold and shall not be lighted while the same is in the garage until vehicle is brought within ten feet of the threshold of the exit, except during the time they are under test of repairs.

Sec. 549. Electric Current—How Permitted.—All incandescent lamps, all switches, fuses, key sockets, etc., shall be permanently located not less than four feet above the floor line, except that portable lamps enclosed in wire guards and with keyless sockets may be used where needed. Arc lamps must be

of enclosed type equipped with double globes and swung at least ten feet above the floor. No person shall smoke in any garage, and notice in large letters, "NO SMOKING," shall be kept and displayed in a conspicuous place and manner on all floors and at the entrance of all garages.

Sec. 550. Precautions to be Used.—On the floor of every garage buckets or boxes of dry sand provided with hand scoops shall be kept for the use of extinguishing fires.

For each 2,000 square feet of floor area there shall be kept filled and ready for use one three gallon carbonic acid gas fire extinguisher of approved construction and that there shall be at least one such extinguisher on each floor.

Sec. 551. Pump Room.—At one end of the building there shall be cut off from the garage a room to be known as the pump room, in which shall be located the pump controlling the gasoline supply and other apparatus and devices used in connection therewith. This room shall be ventilated to the open air both at top and bottom and shall have but one opening into the building which shall be a self-controlling door, either made solid, or covered with fine wire gauze and opening outward; the artificial lighting shall be incandescent electric, using weather-proof construction with controlling switches outside of the pump room.

Sec. 552. Penalty.—Any person, firm or corporation, their agents and employees violating the foregoing ordinance, shall be deemed guilty of an offense and, on conviction thereof in the Recorder's Court, shall be fined not exceeding \$100.00, or sentenced to work on the Streets and public places of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER XXXI.

BILL BOARDS—BILL POSTING—THEIR ERECTION—
REGULATION.

Sec. 553. Bill Posters Must Get License.—All persons engaged in the business of bill-posting, card-tacking, or the distribution of bills, cards, circulars, etc., in the city of Atlanta, and all persons, who may come into the City for that purpose and engage therein, shall be required to pay such registration tax as the Mayor and General Council shall from year to year determine, and persons, who engage in such business without registering their business and paying such tax shall be fined in a sum not exceeding one hundred dollars, or be imprisoned not to exceed thirty days, in the discretion of the Recorder's Court.

Sec. 554. Shall not Post Bills on Lamp or Telephone Posts—
or on Building or Fence without Consent of the Owner.—Any bill-poster or other person or persons, who shall paste, paint, or place upon Broad Street Bridge or any other bridge, or any lamp post or corner post, or telegraph or telephone post in said City, or on any building or fence or upon any other public or private property in said City, without the consent of the owner thereof, any handbills, pictures or advertisements, shall, on conviction, pay a fine of not more than one hundred dollars, or be imprisoned not more than thirty days, in the discretion of the Recorder's Court.

Sec. 555. Cannot Post Obscene Pictures.—No person shall exhibit, expose or paste upon any fence, building, wall, post, bill-board, or other place in the City of Atlanta, and exposed to public view, any representation, picture, design, or advertisement of any description of an indecent, immoral or immodest character, calculated to debauch the public or shock the sense of decency or propriety.

Sec. 556. Penalty for Violation.—Any person violating the provisions of preceding section, on conviction thereof in the Re-

Recorder's Court, shall pay a fine of not exceeding one hundred dollars, or by confinement in the City chaingang not exceeding thirty days.

Sec. 557. Permit Necessary to Erect Bill-Board.—No fence or other structure for the purpose of posting bills or circulars shall be erected within the City without first obtaining a permit from the Mayor and General Council.

Sec. 558. Permit from Building Inspector Necessary—Subject to Approval by Mayor and General Council.—Hereafter no bill-board shall be erected within the corporate limits of the City of Atlanta unless the owner or builder thereof first obtain a permit from the Building Inspector, which permit shall be valid, unless afterwards revoked, as provided for in the next section of this ordinance.

Sec. 559. Revocation of Permit by Building Inspector—Subject to Review by Mayor and General Council.—The Building Inspector shall have power to hear and decide upon any and all objections which may be made to the erection of such Bill-Board, and may revoke any permit given by him, if, in his judgment, the said objections are valid and should be sustained, subject to the revision and final action of the Mayor and General Council.

Sec. 560. Penalty for Violation of Preceding Sections.—Any person violating the provisions of preceding sections, on conviction thereof before the Recorder's Court, shall be fined in a sum not exceeding one hundred dollars, or by imprisonment not exceeding thirty days, either or both at the discretion of the Court trying the case.

CHAPTER XXXII.

BOARDS OF DIFFERENT DEPARTMENTS.

Sec. 561. Members of Boards Qualify within Thirty Days.—Any person elected by the Mayor and General Council to fill a position on any of the different boards of the City Government shall present himself to the proper officer for qualification within thirty days after election.

Sec. 562. Neglect to Do so without Sufficient Excuse Vacates Office—Council Proceeds to Fill Vacancy—When.—A neglect to do so, without an excuse of sickness or absence from the City, or providential cause, shall be deemed sufficient reason to declare the office vacant, and the Mayor and General Council shall, at their next regular meeting, after being officially notified, proceed to fill the vacancy.

Sec. 563. Meetings of Boards—How Often—For What Purpose.—The Boards or Commissions of such Departments of the City of Atlanta as are controlled by Boards or Commissions shall meet as often as once a month, and review the work of their respective Departments, and keep a record of their meetings and their actions.

Sec. 564. Absence from Meetings for Two Months, Except for Providential Cause, Sufficient Reason to Declare Office Vacant—Council Fills Vacancy—Member Ineligible for Re-election.—If any member of a Board or Commission shall fail to attend the session of the Board once a month for a period of two months, except for providential cause to be certified to the Council by action of the Board, then and in that event the office of such member of such Board or Commission shall be vacated and it is hereby declared vacant, and in said event the General Council at its meeting succeeding said period shall proceed to fill the vacancy created as above stated, and the member of such Board or Commission failing to meet as above required shall be ineligible for re-election.

Sec. 565. Secretary of the Board Certifies as to Meetings, and Who Were Present.—The Secretary, or Secretary Pro-tem, of each Board or Commission shall within five days from the date of the session of said Board, or from the date when said Board should have met according to its rules, report to the Mayor the fact as to whether said Board has held its meeting, and the names of the members of said Board actually present at its sessions.

Sec. 566. Boards Shall Monthly Examine Expenditures in Their Departments Before Approving Vouchers.—All the Boards elected by the Mayor and General Council having the oversight and control of expenditures of the City's money, shall meet monthly or oftener, when necessary, and shall properly examine and scrutinize each item of expenditure in their departments before passing up or approving bills or vouchers for payment from appropriations made them by Council.

Sec. 567. Executive Heads of Boards Shall Present Vouchers to Board Meetings for Examination and Approval.—The Chief, Superintendent, or other Executive head of the Board of Firemasters, Board of Police Commissioners, Board of Park Commissioners, Board of Health, Board of Water Commissioners, Board of Education, and Board of Trustees of Grady Hospital, or any other City Board, shall have all vouchers for the expenditure of money in their departments properly made out, and present the same to the stated meetings of their several Boards for examination and approval.

Sec. 568. They, However, do not Append Their Signatures to Vouchers Until Examined and Approved by the Board.—The Executive heads of the above mentioned Boards shall not append their signatures of approval to any such vouchers until same have been passed upon and authorized by said Boards in regular form in such meetings, provided for in above section of this ordinance.

Sec. 569. No Vouchers Presented to City Comptroller Until Approved.—No bills or vouchers emanating from said Boards shall be presented to the City Comptroller for payment until they have been properly approved as required by the provisions of this ordinance.

Sec. 570. Annual Appropriation not to be Exceeded.—It shall be unlawful for any Board, officer, or department of said City to vote or expend, or incur liability or obligation for any amount in excess of the annual appropriation made by the Mayor and General Council of said City to or for such Board, officer, or department for any year. It shall be unlawful for any Committee of Council or the head of any department to approve for payment any bill, account, order or resolution, except it be drawn and approved for payment out of some fund appropriated for expenditure in the manner covered thereby and remaining unexpended, and it shall likewise be unlawful for the City Comptroller to draw, or the Mayor to approve, or the City Treasurer to pay, any warrant not drawn on some fund so appropriated and remaining unexpended; that is to say, no moneys appropriated for expenditure in any department shall be paid out on bills, accounts, or other liabilities originating in said department, except for the particular items of expenditure for which they were appropriated.

Sec. 571. Officers and Members of Boards Liable for Amounts Illegally Expended.—The City shall in no event be liable for the payment of any amount voted, expended, or incurred, by or through any Board, officer, or department of said City, to any such Board, officer, or department, but any member or members of such Board or department, and any officer of said City participating and aiding in such illegal expenditure, liability or obligation, shall be individually liable to the City for the same in case of such illegal expenditure made, and shall be individually liable to the person or persons contracted or dealt with in case of any such illegal liability or obligation incurred.

Sec. 572. Illegal Expenditure of Money Sufficient Cause for Removal.—Any member of a Board or department of said City, or any officer thereof, who shall participate and aid in any such illegal expenditure, or in the attempted incurring of any such illegal liability or obligation, shall be removed from office or service under said City.

Sec. 573. No Vouchers Approved Unless Expenditure is Necessary.—No such bills or vouchers shall be passed up or approved unless such expenditure shall be considered necessary by such Board, and unless such expenditure shall be legal, and in strict

compliance with the requirements of the foregoing sections of this Code.

Sec. 574. Telephones Not Ordered by Boards, Etc.—No Board, Commission or Department of the City of Atlanta shall hereafter make any contract for telephone service.

Sec. 575. Requisitions for—Committee Contracts for.—Where any Board, Commission or Department of the City of Atlanta desires a telephone to be installed or continued, they shall first make requisition therefor to the City Comptroller, who in turn shall refer same to the Committee on Electric Lights, Telegraphs and Telephones and this Committee shall make contract therefor and when approved same shall be returned to the City Comptroller and the requisition approved, and the bills paid from Expense Account of Department using same.

Sec. 576. Bills for Not Paid If this Plan Disregarded.—No bill or voucher shall be either approved or paid for a telephone, where it is a paid service unless same shall have been installed or, where previously installed, unless a continuance of such phone shall have been approved in the manner required by this ordinance.

Sec. 577. Uniform Service—Price—Reductions.—Said Committee shall provide for uniformity in charges and service and secure to the City such reductions in price and superior service as the method of arrangement provided for by this ordinance may suggest.

CHAPTER XXXIII.

BOND COMMISSION—DUTIES—MEMBERS—TERMS.

Sec. 578. How Composed.—A special Bond Commission consisting of the Mayor and the Finance Committee of the General Council, and the following citizens, viz.: W. H. Terrell, F. A. Quillian, W. S. Duncan, C. E. Murphy, H. C. Stockdell, J. M. Stephens, Jno. E. Murphy, J. M. Nichols and one member to be elected by the Mayor and General Council from each of the 5th and 10th Wards of the City of Atlanta be and the same are hereby created and continued in office.

Said Bond Commission shall at all times be composed of the Mayor and Finance Committee of the General Council ex-officio and one citizen from each of the ten wards of the City, and in case of a vacancy at any time by death, resignation or otherwise, from among said citizens such vacancy shall be filled by election by the Mayor and General Council.

Sec. 579. Terms.—The term of office of said Commission shall be as follows: the ex-officio members shall serve during their respective terms of office as Mayor or members of the finance committee of Council and the other members, subject to resignation, shall serve until the proceeds of bonds authorized, at the election held Feb. 15, 1910, have been disposed of, and a final report made to the Mayor and General Council and accepted by that body.

Sec. 580. Acts With Departments—Reports—General Council Approves.—Said Bond Commission, acting as a whole, or by appropriate committees with the respective departments, shall prepare a statement, in each instance, covering the items by which any part of said bond issue is proposed to be expended and the same shall be submitted to and receive the approval of the Mayor and General Council before any part of the proceeds of said bond issue is used.

Sec. 581.. Bonds—How Expended—Departments—General Council.—The Bond Commission shall assist and act with the

various departments in making up the items for which said proceeds shall be expended, and when the same receives the approval of said Bond Commission and several departments, they shall thereafter be submitted, with the recommendations of said Commission and departments, to the Mayor and General Council for adoption or rejection.

Sec. 582. Good Faith of City—Inform Council—Expenditures—Final Report.—Said Bond Commission shall perform and do all work specified in the ordinance pledging the good faith of the Mayor and General Council to the voters of the City of Atlanta, and acting with the different departments shall, from time to time, keep the Mayor and Council informed of the progress of any work being done from the funds arising from the sale of said bonds, the cost of the same, and the funds remaining unexpended, and when said work has been completed said Commission shall make a final report to the Mayor and General Council of the work done in each of the different departments from the proceeds of the bonds, and the cost of the same, which report shall be filed and entered on the minutes of the Council.

CHAPTER XXXIV.

BUILDING AND LOAN ASSOCIATIONS, BANKS, ETC

Sec. 583. Building and Loan Associations—How Taxed.—The tax on Building and Loan Associations shall be as follows:

The Presidents of Building and Loan Associations, and other Associations of like character having an office or doing business in said City, shall be required to return to the Tax Assessors and Receivers of said City, at its market value the stock of such Association owned by the stock-holders thereof upon which, as shown by the books of such Associations, no advance has been made or money borrowed thereon by the individual stock-holders therein, to be taxed as other monied capital in the hands of private individuals is taxed.

Sec. 584. Shares in Banks and Other Corporations Taxed at Market Value—Surplus and Undivided Profits also Returnable for Taxes.—The shares of the stock-holders of any Bank or Banking Association, newspaper publishing company, or other corporation, whether of resident or non-resident owners, located or transacting business in the City of Atlanta, shall be taxed at their true and full market value, at the same rate provided for in this Ordinance for the taxation of monied capital in the hands of private individuals; this is, one and one-fourth per cent. on the true and full market value of each share.

Provided that no tax shall be levied on any real or personal property, or equity therein, or surplus or undivided profits held and owned by any bank or banking association, the value of which is represented in the market value of its shares of stock: but where such property is not represented in the market value of said shares, same shall be taxed as other property held and owned by other persons.

Sec. 585. Presidents to Make Returns.—The President or chief officer of each and every bank or banking Association, organized under State authority, or under National authority, and of all other companies or corporations located in the City of Atlanta, shall be required to return, on oath under the regular

tax returns, all the shares of stock of the stock-holders of such Bank or Banking Association, whether resident or non-resident, at the true and full market value of such shares of stock, to the City Tax Assessors and Receivers of the City of Atlanta, where such Bank or Banking Association is located, to be taxed for the purposes hereinbefore provided; also all other property owned by said Bank, including its surplus and undivided profits.

Sec. 586. Cashiers to Pay the Tax—Executions against Defaulters as in Other Cases.—It shall be the duty of the Cashier of such Bank or Banking Association to pay the taxes assessed by virtue of the foregoing provisions upon the shares of stock of the stock-holders of such Bank or Banking Association to the City Tax Collector, and in default thereof, it shall be the duty of the Clerk of Council to issue execution against the shares of stock of any stock-holder in any Bank or Banking Association, whether by a return by the proper person, or upon an assessment by the Tax Assessors and Receivers, for whatever amount they may deem sufficient to cover the tax on such shares of stock of any stock-holder of any such Bank or Banking Association, and cause the same to be sold or execution may be issued against such defaulters and be collected as other tax *fi fas*.

Sec. 587. List of Share-Holders Shall be Filed—Penalty for Failure or Refusal to do So.—The President and Cashier of every Bank and Banking Association or other corporation above described shall be required to furnish for the inspection of said Tax Assessors and Receivers of the City of Atlanta, where such Bank or Banking Association or other corporation is located, a correct list of the names and residences of all the share-holders in such Bank or Banking Association or other corporation, and the number of shares held by each. And any President or Cashier of such Bank or Banking Association or other Corporation, failing or refusing to furnish said list of names and shares to the Tax Assessors and Receivers aforesaid, authorized hereby to demand the same, and demanding the same, such person may be brought before the Recorder's Court, and, on conviction, fined a sum not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court.

Sec. 588. Private Banks—How Taxable—Brokers.—Private banks and brokers shall pay one and one-fourth per cent. per annum on their capital stock, surplus, and undivided profits.

CHAPTER XXXV.

BUILDING INSPECTOR—BUILDING REGULATIONS.

Sec. 589. Office Created—Term—Requirements of Incumbent.—The office of Inspector of Buildings is hereby created. He shall be elected on the first Monday of July, 1895, and hold office until the first Monday in July, 1897, at which time his successor shall be elected for two years, and biennially thereafter. The salary of said Inspector shall be eighteen hundred dollars (\$1,800.00) per annum, and he shall be required to furnish a horse and buggy. Such Inspector of Buildings shall be a practical architect, builder, or civil engineer, who has been engaged in the active duties of his occupation for at least ten years.

Sec. 590. Duty as to Dangerous Walls—Mayor and General Council Act on Report.—It shall be the duty of the Building Inspectors (formerly three, now one), in connection with the City Surveyor, to inspect all buildings or walls located on the various streets, lanes, or alleys, of said City, monthly, and, when they (he) shall be requested by the Mayor, and to report the result of such investigation to the Mayor and General Council. (See Chapter on Bill Boards for duty as to Bill Boards.)

Sec. 591. Duty as to Issuing Permits for Erecting, Repairing, or Altering Buildings.—When any person or persons or corporation shall be desirous of erecting, repairing, changing or altering any building, buildings or structure, within the limits of the City of Atlanta, he or they shall make application at the office of Inspector of Building for a permit for that purpose, and shall furnish said Inspector with a written statement of the proposed location, dimensions, and manner of construction of the proposed building, buildings, or structure, and the materials to be used, and with plans and specifications of the proposed building, buildings, or structure, which shall be delivered to said Building Inspector, and remain in his custody a sufficient length of time to allow the necessary examination to be made of the same, and, if required by the Inspector, a copy of said plans and specifications

shall be filed in the office of said Inspector of Buildings. After which, if it shall appear to said Inspector that the laws and ordinances of the City are complied with, he shall give the permit asked for.

Blank forms for the detailed statement, as herein required, may be obtained at the office of the Inspector of Buildings, for applicants to fill out, describing location of the proposed structure, number and height of stories, dimensions of joists and timbers and distance apart, dimensions of supporting iron work (if any), for what purpose the building, buildings, or structure is designed, and such other information applicable to the proposed improvement, which statement, so properly out, the owner or owners, his or their architect or agent, shall sign the agreement contained in said detailed statement, that he or they will in all respects construct the work in accordance with such detailed statement, plans and specifications, and in compliance with the laws and ordinances of the City of Atlanta, and it shall not be lawful to proceed to construct, alter, or repair any building, buildings, or structure, within the limits of said City of Atlanta without such permit.

Sec. 592. Inspector of Buildings Shall Subscribe Oath—Shall Give Bond.—The Inspector of Buildings shall, before he enters upon the duties of his office, take and subscribe an oath before the City Clerk to faithfully and impartially execute the duties of his office, and see that all buildings erected within the City are built in accordance with the laws and ordinances relating thereto, and shall give a bond in the sum of \$5,000.00 with two or more sufficient sureties to be approved by the Mayor conditioned for the faithful performance of his duties.

Sec. 593. His Office in City Hall—Shall Keep Records—Make Reports—Visit Buildings in Course of Erection—When—Penalty for Failure.—The said Inspector shall keep an office in the City Hall, or such other place as shall be provided by the City Council, where it shall be the duty of said Inspector to keep a record of all permits issued, which shall be regularly numbered in the order of their issue, and, also, a record of the statements, upon which permits are issued. He shall also keep a record of and report to the City Council, on the 31st of December, each year, a full and complete register of the number, description and size of every building erected in the City during that year (his

term of office), of what material constructed, with the aggregate of the number, kind, and cost of all buildings. And it is, also, made the duty of said Inspector, upon being served with notice requiring him to visit and inspect any building in progress of erection or construction, to do so; and, if said inspector shall fail or neglect to attend, within twenty-four hours after notice served for that purpose, he shall forfeit and pay the sum of \$20.00 for each and every day he shall so fail or neglect to attend beyond twenty-four hours, which penalty shall be recoverable by action, in the name of the City of Atlanta, for the use of the owner, contractor, or contractors of said building.

Sec. 594. Shall Inspect Buildings in Course of Erection—See that They Conform to Regulations—Furnish Certificates upon Application.—It shall be the duty of every Inspector appointed under the provisions of this Ordinance to visit and inspect each or any house or houses, building or buildings, which may be in the course of erection, construction or alteration, within the limits of the City, and to see that each house or houses, building or buildings are being erected, constructed or altered according to the provisions of this ordinance, and all Acts and ordinances in force in said City, and the manner adopted for the security thereof against fires, and the safety of the occupants; that the materials used are suitable for the purpose (and that the work is done in a substantial and workmanlike manner), and is of sufficient strength and solidity to answer the purpose, for which it is designed, and, before the foundations are laid, he shall examine the trenches dug for the same, and be fully satisfied that the soil or sub-stratum is sufficient for the structure, or at least the best that can be obtained. And should the nature of the soil be such, and the work of sufficient magnitude as to require piling, the same should be done; Provided that it may be deemed necessary by the Inspector that his visits and inspection shall be repeated from time to time during the erection, construction, or alterations of such house or houses, building or buildings, until the walls shall have been completed, and the same inclosed, when his duties shall terminate. He shall, on application for that purpose, furnish the owner or owners, contractor or contractors, his certificate that the said house or building is in all respects conformable to law and properly constructed.

Sec. 595. Further Duties in Reference to Buildings of Brick, Iron, Granite, Marble or Stone.—It shall not be lawful for any person or persons to erect, construct, or build, or cause to be erected, constructed or built, any brick, iron, granite, marble, or stone house or building, or any house or building composed partly of brick, iron, granite, or stone, or to alter any such building so as to make it substantially a new building, unless the same shall have been inspected from time to time by the Inspector of Buildings, and a certificate furnished by him that the said house or building is properly constructed, and in all respects safe and secure; and should said Inspector award such certificate to any person or persons for any house or building not constructed according to the provisions of this Ordinance, the bond given by such Inspector shall be declared forfeited, and the whole principal sum therein named shall become due and payable, and such Inspector shall be forthwith dismissed from office by the City Council, and the vacancy thus created filled; and the said principal sum shall be collected by due process of law, and the same held to the use of any person or persons, either in an individual or corporate capacity, who may be injured or sustain any damage thereby.

Sec. 596. Material for Building within the Fire Limits—How Repaired or Rebuilt after Fire—Penalties for Violation.—No person or persons shall erect, or cause to be erected, within the fire limits of the City of Atlanta, as now established by Ordinance, or hereafter may be established by Ordinance, any building, or addition to a building, the outer walls of which are not composed entirely of brick, stone, mortar, iron, or other incombustible material. Every building erected or built as aforesaid shall be covered or roofed with slate, tin, zinc, copper, iron, tar and gravel, Carey's Cement Roofing, or other equally fire proof roofing, and, if any building within the limits aforesaid shall be destroyed to the extent of one-half thereof, it shall be unlawful to rebuild the same unless the outer walls and roof of the portion rebuilt shall be composed entirely of incombustible materials. Any person, who shall violate any of the provisions of this section shall forfeit and pay the sum of twenty dollars, and the further sum of ten dollars for each day the same shall be permitted to remain without being made to conform to the laws and Ordinances of the City; such building shall be a public nuisance.

Sec. 597. Disposition of Burnt Frame Buildings within Fire Limits.—Whenever any frame building, within the fire limits, shall have become damaged by fire or decay, the extent of which in the judgment of the Inspector of Buildings exceeds fifty per cent. of the value of such building, if the owner of such building objects to the conclusion arrived at by said Inspector, the Inspector of Buildings shall notify the Chief of the Fire Department and the City Engineer and they shall make an examination of the building, and make a report to the Inspector as to the amount of damages. Whenever such building shall be adjudged by such arbitrators to have been damaged by fire or decay to the extent of fifty per cent. of its value, such building shall be condemned by the Inspector of Buildings, and it shall be unlawful, as aforesaid, to repair the same.

Sec. 598. Height of Stories Required—If Specifications Exceeded, Thickness of Walls Increased.—The height of stories for all given thickness of walls must not exceed 11 feet in the clear for basement, 18 feet in the clear for first story, 15 feet in the clear for second story, 13 feet in the clear for third story, 12 feet in the clear for fourth story, and 14 feet in the clear average height of upper story; if any story exceeds these heights respectively, the walls of such story, and of all stories below the same, shall be increased four inches in thickness additional to the thickness hereinafter mentioned.

Sec. 599. Thickness of Brick Walls in Business Buildings.—In accordance with the foregoing provisions, all walls for business buildings shall be of the thickness designated in the following table:

ENCLOSING WALLS.

	Inches	Basement.	Inches	First Story.	Inches	Second Story.	Inches	Third Story.	Inches	Fourth Story.	Inches	Fifth Story.	Inches	Sixth Story.	Inches	Seventh Story.
One story high	12	8	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Two stories high	16	12	12	..	..	..	..	..	..	..	..	..	..	..	..	..
Three stories high	16	16	12	12	..	..	..	..	..	..	..	..	..	..	..	..
Four stories high	20	20	16	16	12	..	..	..	..	..	..	..	..	..	..	..
Five stories high	24	20	20	16	16	16	..	..	..	..	..	..	..	..	..	..
Six stories high	24	20	20	20	16	16	16	16	..	..	..	..	..	..	..	..
Seven stories high	24	20	20	20	20	16	16	16	16	..	..	..	..	..	..	..
Four, less than 100 feet	20	16	16	12	12	..	..	..	..	..	..	..	..	..	..	..
Five, less than 100 feet	24	20	16	16	16	12	..	..	..	..	..	..	..	..	..	..
Six less than 100 feet	24	20	20	16	16	16	12	12	..	..	..	..	..	..	..	..
Seven, less than 100 feet	24	20	20	20	16	16	16	16	12	..	..	..	..	..	..	..

DIVISION WALLS IN BUSINESS BUILDINGS.

For three-story buildings	16	12	12	12	..	..	..	..	..	..	..	..	..	..	..	..
For four-story buildings	20	16	16	12	12	..	..	..	..	..	..	..	..	..	..	..
For five-story buildings	24	20	20	16	16	16	..	..	..	..	..	..	..	..	..	..
For six-story buildings	24	20	20	20	16	16	16	16	..	..	..	..	..	..	..	..
For seven-story buildings	24	20	20	20	20	16	16	16	16	..	..	..	..	..	..	..
For five-story, less than 100 feet	20	20	16	16	16	12	..	..	..	..	..	..	..	..	..	..
For six-story, less than 100 feet	24	20	20	16	16	16	12	..	..	..	..	..	..	..	..	..
For seven-story, less than 100 feet	24	20	20	20	16	16	12	12	..	..	..	..	..	..	..	..

FRONT AND REAR WALLS.

Of four-story buildings	20	16	16	12	12	..	..	..	..	..	..	..	..	..	..	..
Of five-story buildings	20	20	16	16	12	12	..	..	..	..	..	..	..	..	..	..
Of six-story buildings	24	20	20	16	16	12	12	..	..	..	..	..	..	..	..	..
Of seven-story buildings	24	20	20	20	16	16	12	12	..	..	..	..	..	..	..	..

PARTITION WALLS IN BUSINESS BUILDINGS.

For one story	12	8	..	..	..	..	..	..	..	..	..	..	..	..	..	..
For two stories	16	12	12	..	..	..	..	..	..	..	..	..	..	..	..	..
For three stories	16	12	12	12	..	..	..	..	..	..	..	..	..	..	..	..
For four stories	20	16	16	12	12	..	..	..	..	..	..	..	..	..	..	..
For five stories	20	20	16	16	12	12	..	..	..	..	..	..	..	..	..	..
For six stories	24	20	20	16	16	12	12	..	..	..	..	..	..	..	..	..
For seven stories	24	20	20	20	16	16	12	12	..	..	..	..	..	..	..	..

Sec. 600. Business Buildings Defined.—The term "Business Buildings" shall embrace all buildings used principally for business purposes, thus including, among others, hotels, theatres, and office buildings.

Sec. 601. Wholesale Stores—Warehouses— Defined.— The terms "wholesale store" or "warehouse" shall embrace all buildings used (or intended to be used) exclusively for purposes of mercantile business or storage of goods.

Sec. 602. Basement Story Defined.—A basement story of any building is defined as a story whose floor is twelve inches or more below the sidewalk and whose height does not exceed eleven feet in the clear. All such stories that exceed twelve feet high, shall be considered as first stories.

Sec. 603. Measure of Height of Buildings—From What Point to What Point.—The height of all buildings for the purpose of this ordinance shall be taken from the grade of sidewalk to a point half-way from the lowest to the highest part of the roof.

Sec. 604. If Height is Increased, Thickness of Walls Also.—Whenever it is sought to increase the height of any building beyond the height for which the original permit was granted the thickness of walls thereof shall also be increased in accordance with the above table.

Sec. 605. Thickness of Walls of Buildings Having Trussed Roofs.—The outside walls of rooms having trussed roofs or ceilings, such as churches, public halls, theatres, dining rooms, or the like, if more than fifteen or less than twenty-five feet high, shall average at least sixteen inches; if over twenty-five feet high, at least twenty inches; if over forty-five feet high, at least twenty-four inches in thickness. An increase of four inches in thickness shall be made in all cases where the walls are over one hundred feet long, unless there are cross walls of equal height.

Sec. 606. If Solid Buttresses Employed, Four Inches May be Deducted from Wall Thickness.—If solid buttresses are employed, with a sectional area of three hundred or more square inches, placed less than eighteen feet apart, and extended to or

nearly to top of walls, four inches may be deducted from the thickness of any wall having such buttresses.

Sec. 607. Backing of Cut Stone Facings.—Cut stone facings of walls shall be backed up with brick-work of same thickness required where no cut stone is used. In cases where the cut stone is in a great measure self-supporting, four inches less thickness of brick backing may be used. Ashler fronts, properly bonded to the brickwork, may have backing same as self-supporting stone fronts or walls.

Sec. 608. In Certain Cases Party Walls May Be Used.—Any party wall now existing that shall have been built conformable to the requirements of any law regulating the construction of such walls, and in force at the time of such construction, if sound and in good condition, may be used in the construction of any adjoining building; provided, however, that no brickwork shall be placed on such wall to give additional height to the wall, unless the thickness of such additional wall and the thickness of the old wall in each story shall at least equal the thickness required for division walls. This section shall apply in all cases where it is desired to add additional height to any business building. In case of outside walls of any business building being built against the wall of any old building (not being a party wall) the new wall shall be of the same thickness required for outside walls in such building.

Sec. 609. Thickness of Walls of Brick Stores and Dwellings.—Buildings having the first story, or basement and first story, designed for business purposes, and the upper stories for dwellings, the first floor being not more than thirty inches above grade of sidewalk, shall have walls of brickwork of the thickness as follows, to-wit: For two story and basement buildings, the basement and first story walls, twelve inches; second story, eight inches; for three story and basement buildings, basement wall sixteen inches, first and second stories, twelve inches, third story, eight inches; for four story buildings, the basement wall twenty inches, first story sixteen inches, second, third, and fourth stories, twelve inches. When built in blocks of two or more buildings, the division walls in three story buildings may be twelve inches in basement, and in four story buildings they may be sixteen inches in basement.

Sec. 610. All Buildings with Flat Roofs, Exceeding Two Stories in Height to Have Fire Walls Above Roof.—All dwelling houses, including those having first story used for business purposes, and all other buildings that are used, more than two stories high, having flat roofs, shall have all the walls (except front walls) extended sixteen inches above the roof, and not less than eight inches thick; to have proper copings of incombustible materials; double-pitched roofs to have their division and side walls carried up, forming fire walls in same manner; walls at the eaves of all roofs (except flat roofs) shall be carried up their full thickness flush with upper edge of the rafters of roof, and the sheeting boards shall be bedded in mortar on such walls.

Sec. 611. Business Buildings—Walls Carried Up Above Roof Two Feet—When.—Business buildings more than two stories high, having flat roofs, shall have their side and rear walls carried up two feet above the roof; division, or party walls, four feet above, forming fire walls not less than twelve inches thick, to have copings of incombustible materials; front walls may terminate flush with the upper surface of sheeting of roof. Division and party to extend through mansard or other steep roofs not less than sixteen inches, and having copings same as other fire walls.

Sec. 612. Brick Chimneys—Height Above Roof—Thickness of Walls—Flues, Etc.—No chimney shall be built with less than four-inch walls and no chimney top shall be less than five feet above the roof (for flat roofs) and two feet above the ridge of any pitched roof. Ordinary flues in business buildings shall have walls and eight-inch jams; flues larger than 250 square inches and less than 500 square inches shall be surrounded with walls not less than eight inches thick; the walls of such flues above the inlet funnel shall be twelve inches thick for the first 15 feet around and above such inlet; tops of such chimneys to be at least eight feet above the roof, or five feet above the highest part of the roof within fifty feet of such chimney. Flues with more than 500 or less than 800 inches area shall have not less than twelve-inch walls for the first thirty-six feet, and sixteen-inch walls opposite the inlet, and ten feet above the same; top of chimney ten feet above the roof, or seven feet above the highest part of the roof within fifty feet of such chimney; provided that all chimneys having walls less than eight inches thick shall be

plastered on the brick or be covered with metallic lath or wire cloth before plastering.

Sec. 613. Proviso as to Flues in Party Walls.—The provisions of the foregoing sections as to the thickness of walls pertaining to chimneys shall be applicable only to such chimneys as are part of or situated in any building. Flues in party walls shall not extend beyond the center of the wall, joint flues in party walls shall be separated by a four-inch "width" of fire brick their entire height.

Sec. 614. Foundation for Chimneys.—Any chimney not forming a part of a wall shall rest upon the ground with proper foundation, and in no case shall any chimney rest on or be supported by framework, beams, or posts of woodwork of any description.

Sec. 615. Foundations for Buildings—Breadth — Depth — When Cement Mortar Used.—Proper foundation or masonry shall be prepared for the support of buildings, and no foundations shall be less than two feet below the exposed surface of the ground, and in no case shall any foundation rest on any filling or made ground. The breadths of the foundations of the several parts of any building shall be proportioned, so that, as nearly as practicable, the pressure shall be equal on each square foot of the foundation. Cement mortar shall be used in the masonry of all foundations exposed to dampness.

Sec. 616. Specifications for Piles—How Driven—The Grade.—Poles driven for a wall to rest upon shall not be less than eight inches in diameter at the smallest end, and shall be spaced not more than three feet on centers in the direction of the length of the wall, and nearer, if required by the Inspector. The Inspector shall determine the grade at which piles shall be cut off.

Sec. 617. Walls Twenty Feet in Height or Less Rest on Single Row of Piles—Exceeding Twenty Feet Double Row of Piles—Extra Piles May be Required by Inspector.—Walls not exceeding twenty feet in height, where piling is necessary, may rest on a single row of piles, if deemed advisable by the Inspector; walls exceeding twenty feet in height shall rest on not less than two rows of piles. Extra piles shall be driven, where required by the Inspector.

Sec. 618. Every Seventh Course Brickwork Headers—Walls Shall Be Anchored—Flues to be Plastered, etc.—In brick walls every seventh course shall be headers. All fire flues shall be smoothly plastered or have struck joists. Walls shall be securely anchored to the timbers and joists resting upon them.

Sec. 619. Hollow Walls—Specifications and Restrictions.—Hollow walls, not bearing walls, may be used in all cases; but all hollow walls shall be bonded or tied together with incombustible anchors placed not more than three feet apart. If used as bearing walls, the thickness shall be reckoned by their solid parts, unless either part is at least eight inches thick, and solid connections are made in upright directions, not less than twelve inches wide nor more than eight feet apart from centers. In such cases two-thirds of the hollow space shall be connected with the solid parts; provided, that, in no case shall the ends of the joists or other wood be allowed to come within four inches of the hollow space.

Sec. 620. No Wall Cut Off or Altered Without a Permit—Temporary Support to be Equal in Strength to Permanent Support.—No wall of any building now erected or hereafter to be built or erected, shall be cut off or altered without a permit so to do having been first obtained from the Inspector. Every temporary support placed under any structure, wall, girder, beam, or column, during the erection, finishing, altering, or repairing of any building, or part thereof, shall be equal in strength to the permanent support required for such construction.

Sec. 621. No Opening Through Party Wall Without Permit—Specification as to Such Opening, When Permitted.—No opening or doorway shall be cut through a party wall of a brick building without a permit from the Inspector, and every such doorway or opening shall have top, bottom, and sides of stone, brick, or iron; shall be closed by two sets of wrought-iron or metal-covered doors (separated by the thickness of the wall) hung to rabbetted iron frames, or to iron hinges in brick or stone rabbets; shall not exceed ten feet in height by eight feet in width, and every opening, other than a doorway, shall be protected in a manner satisfactory to the Inspector.

Sec. 622. No Timber Except Lathing Strips and Arch Forms in Brick Walls Permitted.—No timber, excepting lathing strips,

shall be used in any wall of any brick building except arch forms for interior arched opening.

Sec. 623. Anchors for Walls, on Which Beams Rest, Etc.—All walls of a brick building, on which the ends of beams rest, shall be anchored at each tier of beams at intervals of not more than ten feet apart, with good strong wrought-iron anchors, at least one-half inch by one and one-half inches, well built into the walls, and fastened at the top of the beams; and where the beams are supported by girders, the ends of the beams resting on the girders shall be butted together, end to end, and strapped with wrought-iron straps or tie irons at the same distance apart and in the same beams as the wall anchors, and shall be well fastened.

Sec. 624. Piers—How Built—How Laid.—All piers shall be built of the best quality of good well-burnt hard brick, laid in cement and sand mortar, and well wet, when laid in warm weather.

Sec. 625. Brick Piers Have Cap of Iron—When.—Brick piers under lintels, girders, or columns of brick buildings, over one story high, shall have a cap of iron, at least two inches thick, the full size of the pier.

Sec. 626. Brick Piers and Buttresses—How Built.—Brick piers and buttresses shall be bonded with thorough courses, level, and bedded, each course, and, where their foundations rest on piles, a sufficient number shall be driven to insure a proper support.

Sec. 627. Metal and Wooden Columns Rest on Iron Plates.—Every metal column in a brick building shall rest on an iron plate of not less thickness than two inches. Wooden columns supporting girders and floors in such buildings shall set on one and a half inch iron plates with sockets and counter sinkages.

Sec. 628. Backing of an Iron Front—When Considered as an Independent Wall—Provisions for Complete Separation of Buildings.—The backing of any iron front, that is not wholly self-supporting, shall be treated as an independent wall. If the iron is self-supporting, then the party wall shall be extended to meet the outer thickness of iron, and all vacancies shall be filled with grout to insure a complete separation of adjoining buildings.

Sec. 629. Roofs Not Exposed—What Kinds.—No uncovered tar, composition, rosin, felt, or woodwork shall in any way be exposed on any roof or appendages. This applies only to buildings in the fire limits.

Sec. 630. Appendages, Such as Dormer Windows, Cornices, Balconies, etc. to be Enveloped with Metal.—Appendages to any business building above the first story, and above 30 feet from grade of sidewalk on any other building, if not wholly of incombustible material, shall be enveloped with metal. Dormer windows, cornices, mouldings, balconies, bay windows, towers, spires, ventilators, etc. shall be considered as appendages. This applies only to buildings in the fire limits.

Sec. 631. No Bay Window to Project Over any Public Way Without Permission of Council.—No bay window or other structure shall be placed on any building so as to project over any public way or square without the permission of the City Council.

Sec. 632. Glass in Skylights—Protect with Screens.—Glass in all skylights, if not "prismatic lights," shall be protected by screens made of No. 10 (or heavier) wire, with meshes not exceeding one and one-half inches; such screen to be secured to the sash, and kept at least four inches above the glass.

Sec. 633. Water from Roof Conducted through Metallic Leaders to Street Gutter or Sewer.—All buildings hereafter erected shall be kept provided with proper metallic leaders for conducting the water from the roof to the ground sewer or street gutter in such a manner as shall protect the walls and foundations from damage; and in no case shall the water from such leaders, or otherwise, be allowed to flow upon the sidewalk, but shall be conducted by drain pipes to the street gutter or sewer.

Sec. 634. All Roofs to be Provided with Scuttles—Size.—All buildings hereafter erected shall be provided with a scuttle not less than 20 inches by 30 inches in the ceiling of same, and in all business buildings the scuttle shall also be in roof of same.

Sec. 635. Precaution against Exposure of Woodwork to Flues.—All floor beams, joists, and headers shall be kept at least two inches clear of any wall enclosing a fire flue or chimney breast,

and the space left between the framing and such flue shall be filled solid with gauged mortar, to be a heavy coat of plastering put on the walls of such flues before any other woodwork shall be placed against it.

Sec. 636. Regulation as to Building Floors for Carrying Their Weight.—All floors shall be constructed to bear a safe weight per superficial foot, exclusive of materials, as follows: For dwellings, tenements or lodging houses, seventy pounds; for store-houses and warehouses, one hundred and seventy-five pounds; machine shops, armories, and drill-rooms, two hundred and fifty pounds; for light mechanical purposes, one hundred and twenty pounds. These requirements shall apply to all alterations as well as to new buildings. In all calculations for the strength of the material, to be used in any building, the proportion between the safe weight and the breaking weight, shall be as one to three to all beams, girders, and other pieces subjected to cross strain; and as one to six for all posts, columns, and other vertical supports, and for all tie beams and other pieces subjected to a tensile strain; and the requisite dimensions of each piece of material to be ascertained by computation, by rules given by the best authorities, using for constants in the rules only such numbers as have been deduced from experiments on materials of like kind to that proposed to be used. All mortar and cement used shall be of the best quality for the purpose for which they are applied and shall be properly mixed.

Sec. 637. Requirements as to Hearths and Fire-Places.—All hearths for ordinary fire-places shall rest on trimmer arches, the header kept at least eighteen inches from face of chimney-breast. The back of all fire-places shall not be less than eight inches thick; all stove-pipe holes to have proper thimbles and stoppers.

Sec. 638. Ends of Joists Entering a Brick Wall—How Constructed.—Ends of joists or beams entering a brick wall shall be cut not less than three-inch bevel, so as not to disturb the brickwork by any defection or breaking of the joists or beams. All such joists or timbers entering a party or division wall from opposite sides shall have at least four inches of solid brickwork between the ends of such timbers or joists. All buildings for residence or business purposes shall have the

brick project not less than one and one-half inches inside the face of the wall between the joists of each floor and ceiling joists.

Sec. 639. Joists and Girders—Dimensions—How Constructed.—Joists and girders in any building shall be of proper dimensions to sustain the load designed to be placed upon them. Girders may rest upon piers of brick or stone, or upon columns of wood or iron of proper dimensions. All floor joists shall be properly bridged with cross bridges. All headers in floor framing of business buildings that are placed at a greater distance than two feet from the end of a trimmer, shall be fixed in proper iron stirrups.

Sec. 640. Owner of Any Unsafe Structure Shall Remove Same Upon Notice—Upon Failure Inspector Removes.—The owner, or other party having an interest in any building, staging, or other structure, or anything attached to or connected with a building or other structure, which shall be unsafe, so as to endanger life, shall immediately, upon notice received from the Inspector of Buildings, cause the same to be made safe and secure or taken down; and, when public safety requires immediate action, the Inspector may enter upon the premises, with such assistants as may be necessary, and cause the said structure to be secured or taken down without delay at the expense of such owner or party interested. No staging or stand for observation purposes shall be constructed or occupied upon the roof of any building in said city.

Sec. 641. Inspector Puts Notice of Dangerous Character of Structure in a Conspicuous Place on Same—Penalty for Removal by Anyone.—Every building, which shall appear to the Inspector to be dangerous in case of fire or panic, by reason of bad condition of walls, overloaded floors, defective construction, decay, not provided with safe stairways or without a sufficient number of stairways or exits or lights for the proper accommodation of persons who, from the nature of said building or the business carried on therein, use the same, or other causes, shall be held to be unsafe; and the Inspector, besides proceeding as provided in the preceding section, shall also affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of said building; any person re-

moving such notice so affixed, shall be liable to a fine of not less than ten nor more than fifty dollars for each and every offense, to be paid into the Treasury of said city.

Sec. 642. Owner Subject to Fine for Continuance of Unsafe Condition of Structure After Notice by Inspector.—The owner, or party having an interest in the unsafe building or structure mentioned in the two preceding sections, being notified thereof in writing by the Inspector, shall forfeit and pay a fine to the use of said city for every day's continuance thereof after such notice, a sum of not less than ten, nor more than fifty dollars.

Sec. 643. No Building Altered Until Examined and Approved as Safe by the Inspector.—No building now or hereafter built shall be altered until it has been examined and approved by the Inspector as being in a good and safe condition to be altered as proposed, and the alteration so made shall conform to the provision of this and any Ordinance of the City of Atlanta in relation thereto.

Sec. 644. Specification as to Brick Walls and Buttresses. All brick walls and buttresses shall be of merchantable, well shaped bricks, well laid and bedded, with well filled joints, in lime or cement mortar, and well flushed up at every course with mortar; and all brick used during the warm months shall be wet at the time they are laid, and shall be dry at time they are laid during the cold months.

Sec. 645. Regulation as to Vertical Recesses.—No continuous vertical recess, chase, or flue shall be made in any party wall so deep that it will leave the thickness at the back less than eight inches at any point, and no recess of any kind shall be made in any eight-inch wall. No horizontal recess shall be made in any wall except by a special permit from the Inspector. No continuous vertical recess other than flues in stacks shall be nearer than seven feet to any other recess.

Sec. 646. Construction Within Fire Limits of Material Other than Brick, Stone, or Wood.—In the erection or alteration of any building within the fire limits, the material of which, in whole or in part, is other than brick, stone, or wood,

the thickness of walls, of such material, and the method of construction, shall be such as the Inspector shall approve.

Sec. 647. As to Partitions in Business Buildings.—Partitions in hotel buildings and tenement houses made of scantling to be lathed and plastered shall be filled with brickwork eight inches high, in the best manner. Scantling partitions shall not be employed as supporters of any floor (except dwelling houses).

Sec. 648. Stairways.—Stairways shall not be enclosed with partitions made of plank, boards, flooring or scantling, unless plastered on both sides or covered with metal.

Sec. 649. Hoistway Openings—Trap Doors.—Hoistway openings shall have trap doors (covered with metal on the underside) on all floors except where elevators are used, with sufficient guards for protection during the hours of business, and said doors shall be kept closed at all other times.

Sec. 650. Business Buildings to Have Fire Proof Shutters.—All stores, storehouses, mills, and manufactories, that may hereafter be erected in Atlanta, which are more than two stories high, shall have doors, blinds, or shutters made of fire proof metal, on every window or entrance where the same do not enter upon a street. When, in any such building, the shutters, blinds, or doors cannot be put on the outside, they shall be put upon the inside, and hung upon iron eyes or frames independent of any woodwork; shutters above the first story to be arranged so that they can be opened from the outside. Prismatic lights in iron frames shall be regarded as an equivalent to iron shutters.

Sec. 651. Fire Escapes Required on Business Buildings—Character and Material.—All buildings in said City three stories or more in height, not including basements, used as a factory, workshop, lodgeroom, hotel, boarding house, public hall, or sleeping place, or apartment, shall have thereon suitable and substantial fire escapes of the following character and material: Brackets must not be less than one-half by one and three-quarter inches, wrought iron, placed edgewise, or one and three-quarters inch angle iron, well braced, and not

more than three feet apart, and the braces to brackets must not be less than three-quarters inch square, wrought iron, and must extend two-thirds of the width of the respective brackets or balconies. In all cases the brackets must go through the walls, and be turned down three inches.

Sec. 652. Brackets on New Buildings—How Set—On Old Buildings, How Set.—Brackets on new buildings must be set as the walls are being built. When brackets are to be put on old houses, the part going through the wall shall not be less than one inch in diameter, with screw nuts and washers, not less than five inches square and one-half inch thick.

Sec. 653. Top Rails—Size—How Set.—The top rail of balcony must be $1\frac{3}{4} \times \frac{1}{2}$ inch wrought iron, and in all cases must go through the walls, and be secured by nuts and $\frac{1}{4}$ inch square washers, at least $\frac{3}{8}$ inch thick.

Sec. 654. Bottom Rails—Size—How Set.—Bottom rails must be $1\frac{1}{4} \times \frac{3}{8}$ inch wrought iron, well leaded into the wall. In frame buildings the top rails must go through the studding, and be secured on the inside by washers and nuts as above.

Sec. 655. Filling in Bars—Size—How Set.—The filling-in bars must not be less than $\frac{1}{2}$ inch round or square wrought iron, placed not more than 6 inches from centers, and well riveted to the top and bottom rails.

Sec. 656. Stairs—How Constructed—Size of Rung—Hand Rail, Etc.—The stairs, in all cases must be not less than 18 inches wide and constructed of $\frac{1}{4} \times 3\frac{1}{2}$ inch wrought iron sides or strings. Steps to be $\frac{5}{4}$ inch round iron, double rungs, $\frac{5}{8} \times 3$ inch flat iron, and well riveted to the strings. The stairs must be secured to a bracket on top, and rest on and be secured to a bracket or extra cross-bar at the bottom. All stairs must have a $\frac{3}{4}$ inch hand rail of wrought iron, well braced.

Sec. 657. Floors—Material—How Set.—The flooring of balconies must be of wrought iron $1\frac{1}{2} \times \frac{1}{4}$ inch slats, placed not over $1\frac{1}{4}$ inches apart, and secured to iron battens $1\frac{1}{2} \times \frac{3}{8}$ inch, not over three feet apart, and riveted at the intersection. The opening for stairways in all balconies shall not be less than 18 inches wide and 30 inches long.

Sec. 658. Drop Ladders—Size, Etc.—Drop ladders from lower balconies, where required, shall not be less than 14 inches wide, and shall be $1\frac{1}{2} \times \frac{3}{8}$ inches sides and $\frac{5}{8}$ inch rungs of wrought iron. In no case shall the ends of balconies extend more than nine inches over the brackets. The height of railings around balconies shall not be less than two feet nine inches. A balcony must be at each story.

Sec. 659. Chief of Fire Department and Building Inspector Constitute a Board of Fires Escapes.—The Chief of the Fire Department and Building Inspector shall constitute a Board of Fire Escapes, and no fire escape will be accepted without their approval, and they shall have authority to decide the number and location of all fire escapes on buildings.

Sec. 660. Penalty for Failure to Have Fire Escapes Installed.—This ordinance shall be published in two daily papers for fifteen days, then it shall be the duty of the owners of all buildings coming under the requirements of this ordinance to have placed on said building within ninety (90) days after said advertisement, such fire escapes as are required. Should any owner, agent, or tenant in possession of any such building fail within the time specified in said advertisement to have fire escapes placed on any building as provided for by this ordinance, he or she shall be subject to a fine not exceeding one hundred dollars and cost, and to be imprisoned not exceeding thirty days, either or both in the discretion of the Court, and for each month thereafter until said ordinance is complied with, such owner, agent, or tenant in possession shall be subject to the same penalties as aforesaid.

Sec. 661. Repairs on Fire Escapes—Failure to Repair After Notice—Penalty.—After the fire escapes have been placed on any building as aforesaid in compliance with the provisions of this ordinance, and the same shall become unsafe or in need of change or repair in order to make the same safe, the Chief or Acting Chief of the Fire Department shall serve notice to make such change within ten days. In case of failure of any owner to have such change or repairs made within the time as required by the notice, he shall for such failure be subject to the same penalties provided in this ordinance for failure to place fire escapes in the first instance.

Sec. 662. Certain Trades Barred from Buildings in Fire Limits—Unless.—No building within the fire limits of the City of Atlanta shall be used or occupied, in whole or in part, for any of the trades hereinafter mentioned, to-wit: Planing mills, sash, door, and blind factories, carpenter or copper shops, wagon or carriage manufactories, cabinet or furniture factories, wood-turning and veneering works, agricultural implement manufactories, box and trunk factories, or any other wood-working factory or shop, unless such building, so occupied, shall have in connection with it a brick or fire-proof vault of sufficient capacity to contain all shavings, sawdust, chips, or other light, combustible refuse connected therewith, and all such shavings and other light combustible refuse shall be removed daily from such premises to such vault. In no event shall proprietors, owners or lessees of such manufactories allow combustible refuse to accumulate upon any lot or in any building, unless stored in fire-proof vault.

Sec. 663. Location of Stoves in Houses.—Floors under all stoves shall be protected by a covering of incombustible material. Stoves shall be kept at least 20 inches, and their smoke pipes twelve inches, from any unprotected woodwork.

Sec. 664. Woodwork in Boiler Rooms—How Protected.—The woodwork of all boiler houses and boiler rooms shall be kept at least 6 feet from the boiler, and four feet from the breeching or smoke conductor, and one foot from the dome of the boiler, unless such woodwork is properly protected with incombustible material, and then there shall be at least two feet space from the boiler or smoke pipe and protection.

Sec. 665. Floors of Rooms Containing Boilers.—The floors of all rooms, when containing stationary boilers, shall be made of incombustible materials, five feet on all sides, and at least eight feet in front of any boiler.

Sec. 666. Protection of Woodwork Against Steam Pipes.—Steam pipes shall be kept at least two inches from all woodwork; otherwise they shall be protected by a soapstone, asbestos, or earthenware ring or tube, or rest on iron supporters.

Sec. 667. Awnings—Their Framework.—Where awnings are attached to buildings, the framework shall be of metal. This applies only to buildings in the fire limits.

Sec. 668. Authority to Officers to Enter Premises to Carry These Provisions into Effect.—All the officers appointed under this, or any future amendments to the same, shall, so far as may be necessary for the performance of their respective duties, have the right to enter any buildings or premises in said City.

Sec. 669. Additions or Alterations Subject to Provisions of New Building Ordinance.—Any work or addition or alteration made for any purpose, in, to, or upon any building, except the necessary repairs, not affecting the external or party walls, chimneys, stairways, or height of building, shall, to the extent of such work, or alteration, or addition, be subject to the regulations of this ordinance.

Sec. 670. Exits and Aisles in Public Halls.—All egress openings in public halls shall have the word "Exit" conspicuously placed over them. The aisles in such shall at all times be kept unobstructed.

Sec. 671.—Shall Inspect Passenger and Freight Elevators.—It shall be the duty of the Inspector of Buildings to cause a careful inspection of all passenger and freight elevators in the City of Atlanta at least once in six months, and see that said elevator shafts and doors are in a perfectly safe condition, and in accordance with the provisions of this ordinance.

Sec. 672. Certificate of Inspection Given to Owner.—When an inspection of an elevator or elevators has been made by the Inspector of Buildings, and the same has been put in perfectly safe condition, and the shafts and doors in accordance with this ordinance, he shall make out a certificate of the same, which shall state the date of inspection of the elevator, the weight it may safely carry, and that the shafts and doors are constructed in accordance with this ordinance, which certificate shall be framed by the owner and put in some conspicuous place near such elevator for examination by the public, and the said Inspector shall cause a record to be made of said certificate of inspection in a well-bound book, alphabetically indexed.

Sec. 673. Elevators Cannot be Used, when Declared Unsafe, Until Approved Repairs are Made—Penalty.—It shall be unlawful for any person owning or having the care or control of any

elevator to use or permit the use of the same after it has been declared by the Inspector to be in a dangerous or unsafe condition, and he has prohibited the use of the same, until all necessary repairs have been made, and the owner, agent, or other person has procured a certificate from said Inspector that said repairs have been properly done, and that said elevator may be safely used, under the penalty of fifty dollars for each offense.

Sec. 674. Exposure of Floor Timbers to Chimney Flues—Precaution.—All floor timbers, headers and trimmers of every brick building hereafter erected or altered, in which a chimney is to be built in a brick wall, shall be placed distant two inches from the outside of every chimney flue, and the space between such brickwork and timbers shall be closed by a proper fire stop of incombustible material.

Sec. 675. Dangerous Flues—Notice to Owner—Failure to Comply.—If any chimney flue or heating apparatus on any premises shall in the opinion of the Inspector endanger the premises, the Inspector shall at once notify in writing the owner or agent of said premises. If such owner or agent fails for a period of forty-eight hours after the service of such notice upon him to make such chimney flue or heating apparatus safe, he shall be liable to a fine as prescribed in this ordinance.

Sec. 676. Furnaces and Ranges to be Approved by Inspector. No furnace and no range set in masonry shall hereafter be placed or its location changed in any building except as the Inspector shall approve.

Sec. 677. Penalty for Violation of Any of Above Provisions.—Any person violating any of the provisions of this ordinance shall be punished by a fine not exceeding one hundred dollars, to be paid into the Treasury of said City, unless another penalty is specifically provided herein.

Sec. 678. Regulating the Obstruction of Streets and Sidewalks During any Building Operation.—Any person or persons actually building or about to build or repair any building, may collect and lay all such materials as may be necessary for such building or repairs in the street, lane, or alley, next adjoining to or in front of such buildings or repairs, and such person or

persons so building or repairing shall have the privilege of using one-half of the sidewalk and one-half of the width of the street adjoining, or in front of said building or repairs; provided, that no person so building or repairing shall interfere with the running of the cars upon any street railroad; and Provided, further, that such person or persons shall keep any excavation securely covered, and keep one-half the sidewalk open and in good passable condition. During all such time as such materials shall lie in any street, lane, or alley, the owner or proprietor of such materials shall cause a lamp or lantern, with a good and sufficient light therein, to be securely hung up, placed or fixed on a post, or otherwise, at each of the two corners of such enclosure projecting into the said street, lane, or alley, and in such manner as clearly and plainly to show the place and extent occupied by such materials. The said lamp or lantern shall be lighted by said owner or proprietor at or before dark in the evening, in such manner as to reasonably suppose it shall continue to burn until daylight. The use of one-half of the sidewalk and one-half of the street shall only be allowed twenty days before the building is actually commenced, and ten days after its completion.

Sec. 679. Penalty for Violation by Builder.—Any one violating the provisions of this Section shall be fined not exceeding one hundred dollars, or imprisonment not exceeding thirty days, or both, in the discretion of the Court.

Sec. 680. To Prevent Encroachment on the Sidewalks or Streets.—No encroachment on the sidewalks or streets of said City, in the erection of buildings, for area walls or otherwise, shall be permitted, unless special authority therefor is expressly granted on petition setting forth the encroachment desired, with the reason therefor.

Sec. 681. Penalty for Encroachment.—The owner of the ground adjoining any sidewalk or street where an encroachment is made, in violation of the first section of this ordinance, and the architect and contractor, who cause such encroachment to be made, shall each of them be subject to a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00), or to imprisonment for not exceeding thirty (30) days, one or both, in the discretion of the Recorder.

Sec. 682. Shall Also Remove Obstruction and Place Street or Sidewalk in Former Condition on Ten Days' Notice.—Should such encroachment be made, as is prohibited in the first section of this Ordinance, the obstruction shall be removed, and the street or sidewalk be put in the condition that it was theretofore, by the City Marshal, at the expense of the owner of the adjoining ground, should such owner fail to remove the obstruction and place the street or sidewalk in its former condition on ten days' written notice from the City Engineer to do so.

Sec. 683. Cannot Erect Wooden Houses Within Fire Limits.—No person or persons shall build or erect or cause to be built or erected, any house or houses for any purpose whatever, the walls of which shall be constructed of wood, or which shall be covered with any material other than iron, tin, slate, tiles, or something which shall be deemed and considered fire-proof, on any street or streets within the boundaries herein mentioned, that is: All that portion of the City of Atlanta known as the Fire Limits, which shall be divided into two Building Districts, namely the First, or Close District, and the Second, or Outer District.

Sec. 684. Close or First District Bounded.—The first or close district shall be and include all that part of the City lying and being inside the limits as follows:—Commencing at the Northwest corner of Piedmont Avenue and Cain Street, and running thence West along the North side of Cain Street, to a point thereon two hundred feet East of the East side of Peachtree, thence running North in a line parallel with and two hundred feet East of the East side of Peachtree Street to the South side of East Baker Street, thence West, along the South side of East and West Baker Streets to a point on the South side of Baker Street two hundred feet West of the West side of Peachtree Street; thence South in a line parallel with, and two hundred feet West of the West side of Peachtree Street to the North side of West Cain Street, thence along the north side of West Cain Street to East side of Spring Street, thence Southerly along the East side of Spring Street to a point one hundred feet East of the East side of Walton Street; thence North in a line parrallel with and one hundred feet East of the East side of Walton Street to a point thereon one hundred feet South of the East side of Marietta Street, thence North in a line parallel with and one hundred feet East of the East Side of Marietta Street to

South side of Johns Street, thence West along the South side of Johns Street to the Right-of-way of the W. & A. R. R. Co.; thence South along the East side of said Right-of-way to South side of Thurmond Street, thence West along the South side of Thurmond St. to the railroad track known as the "Old Munroe" track, thence Southeasterly along the West side of said track to a point immediately West of the North side of Brotherton St. at its Western terminus; thence Easterly to the North Side of Brotherton St., thence Easterly along the North side of Brotherton St. to North side of East Fair St., thence along the North side of East Fair Street to West side of Capitol Avenue, thence Northwesterly along the Northwest side of Capitol Avenue to North side of Central Place, thence along said side of Central Place to West or Northwest side of Butler Street, thence along said side of Butler Street to a point thereon one hundred feet South of South side of Decatur Street, thence East in a line parallel with and one hundred feet South of South side of Decatur Street to West side of Moore Street, thence along the West side of Moore Street to a point one hundred feet North of the North side of Decatur Street, thence Westerly in a line parallel with, and one hundred feet North of North side of Decatur Street to West side of Butler Street, thence North along said West side of Butler Street to a point one hundred feet North of North side of Edgewood Avenue, thence in a line parallel with and one hundred feet North of North side of Edgewood Avenue to West Side of Piedmont Avenue, thence Northerly along the West side of Piedmont Avenue to beginning point.

Sec. 685. Second or Outer District Bounded.—The second or outer district shall be and include all that part of said City lying and being between the lines of the first district as above mentioned, and the limits, as described below:—Commencing at the corner of Piedmont Avenue and East Baker Street, and running along East Baker and West Baker Streets to Luckie Street, thence along Luckie to Simpson Street, thence along Simpson Street to Elliott Street, thence along Elliott Street to Nelson Street, thence along Nelson Street to Right-of-way of Southern Railway, thence along said Railway to Peters Street, thence along Peters Street to the junction of Garnett Street, thence along Garnett to Loyd Street (now Central Avenue), thence along Loyd Street (now Central Avenue) to East Fair Street, thence along East Fair Street to Fraser Street, thence along Fraser to Butler, thence along Butler to College Street,

thence along College to Piedmont Avenue, thence along Piedmont Avenue to starting point.

Sec. 686. Rules for Close District.—All laws and ordinances or parts of same, relating to building in the fire limits, shall relate and apply to that portion of the City described as District number One.

Sec. 687. Rules for Outer District.—No building or structure shall be constructed or built in that part of the City described as number Two, unless same be covered or roofed with non-combustible materials.

Sec. 688. Penalty for Violation of Any Ordinance in Regard to Fire Districts.—Any person or corporations violating any of the ordinances in regard to the fire districts, on conviction thereof before the Recorder's Court, shall be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, at the discretion of the Court.

Sec. 689. Unlawful to Support Brick or Stone Walls or Pipes with Wooden Girders or Columns.—It shall be unlawful to support any brick or stone wall, piers, or abutments, upon wooden lintels, girders, or columns in connection with a building more than one story in height.

Sec. 690. Penalty for Violation.—Any persons violating this ordinance shall be fined not more than one hundred dollars, or be imprisoned not more than thirty days.

Sec. 691. Regulating Stove Flues—How Constructed—Safety—Penalty for Violation of Ordinance.—All the stove flues shall be constructed of hard burned brick, and shall be not less than sixteen inches square from base to a point six inches above the roof line, lined with fire-clay piping, not less than twenty-four inches long. Flue to be thoroughly plastered inside, and hung on iron stirrups of new iron of not less than one-fourth of an inch by one and three-fourth inches, bent to come flush with the bottom of ceiling joint. No flue to be less than five feet high, and higher, should the Building Inspector deem it necessary for the safety of the building. Any person violating this

ordinance shall be fined not more than one hundred dollars, or imprisoned not more than thirty days.

Sec. 692. Provision for Protection of Life and Limbs or Persons Employed in the Construction of New Buildings.—It shall be the duty of party or parties having charge of the construction of any new building in this City to have the joists or girders of each floor above the third floor covered with rough scaffold boards, or other suitable material as the work progresses, so as to sufficiently protect the workmen, either from falling through such joists or girders, and to protect the workmen, or others, who may be under or below each floor, from falling brick, tools, mortar, or other substances, whereby accidents may happen, injuries occur, and life and limb endangered; provided the party or parties above mentioned may move said rough floor or scaffolding upward as the work progresses, keeping at all times the top floor covered, as specified above.

Sec. 693. Penalty for Violation of Above Ordinance.—Any person or persons failing to comply with the above ordinance, shall, upon conviction before the Recorder, pay a fine of not more than one hundred dollars (\$100.00) or to be imprisoned not exceeding thirty days, either or both at the discretion of the Court.

Sec. 694. No Private Stable Can be Used Nearer than Thirty Feet to Next Arjacent Residence or Place of Business without Their Consent.—It shall be unlawful for any person, firm, or corporation to erect or use a private stable nearer than thirty feet to any residence or place of business, without the consent of the owner and ocupant of such adjacent residence or place of business.

Sec. 695. Penalty for Violation of Above Ordinance.—A violation of preceding sections shall subject the offenders upon conviction in the Recorder's Court of the City of Atlanta to punishment by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Sec. 696. Ordinances Regulating Height of Brick Piers.—All "Brick Piers" under frame dwellings and retail stores shall be of the following dimensions, to-wit:

8x16 in. piers not over 5 feet 4 inches above ground.

8x20 in. piers not over 7 feet 6 inches above ground.

12x16 in. piers not over 8 feet 0 inches above ground.

12x20 in. piers not over 12 feet 0 inches above ground.

All piers to have a footing course projecting not less than 2 inches, when built on solid foundation of clay. Where piers are built on filled ground, footings shall be of such material and dimensions as shall be determined by the Inspector of Buildings.

Sec. 697. Penalty for Violation of Brick Pier Ordinance.—Any person, firm, or corporation violating Sec. 628 shall, on conviction before the Recorder, be subject to a fine of not more than one hundred dollars or imprisonment not more than thirty days, either or both at the discretion of the Recorder.

Sec. 698. Additions to Frame Dwellings May be Made within Fire Limits Under Certain Limitations.—Wooden dwellings, already permitted, and now maintained within the fire limits, may be improved by wooden additions not exceeding one-fourth of their present area, whenever the Building Inspector shall find, upon careful inspection of said buildings, that they are in good condition, and that same may be allowed without materially increasing the danger from fire, and such additions are otherwise unobjectionable.

Sec. 699. Sizes of Chimney and Furnace Flues Specified.—All chimney flues shall not be less than eight (8) inches in diameter, unless lined with fire clay piping, when in such cases they may be 6 inches in diameter. And all furnace flues shall not be less than eight (8) inches by twelve (12) unless lined with fire clay piping, when they may be eight (8) inches in diameter.

Sec. 700. Penalty for Violation of the Above Section.—Any owner, agent, contractor, or mason violating Section 699 shall, upon conviction before the Recorder, be fined not less than \$5.00 nor more than \$25.00 in his discretion.

Sec. 701. Persons Building Cannot Blockade the Sidewalk.—It shall be unlawful for any person, firm, or corporation, to blockade the sidewalk to the extent of interfering with the travel thereon, during the construction, altering, repairing, or removal of any building within the fire limits of the City, as now described, or as may be hereafter created.

Sec. 702. Provision for Temporary Walk and Roof During Building Operation.—Any person, firm, or corporation, having secured a permit to construct, repair or remove a building or part of building within said limits shall (when deemed necessary by the Inspector of Buildings) construct a temporary walk and roof along the entire frontage of said building of sufficient strength and character to accommodate and protect the public from any danger during the construction, and to the completing of said building. Said walk not to be less than four feet wide, and, when the sidewalk area is to be excavated, shall be made of boards not less than two inches thick, raised not over thirty-six inches above permanent grade, and provided with suitable steps at each end with handrails on each side. Said roof to be full width of sidewalk, and of not less than one inch boards doubled with joints broken, or heavier, should it be deemed necessary, and not less than ten feet above the grade of the sidewalk.

Sec. 703. No Obstruction Within Four Feet of Railroad Tracks or Fire Plugs.—It shall be unlawful to place any materials, tools, scaffolding, or fence, nearer than four feet to any railroad tracks or fire plug during the construction of said building.

Sec. 704. Penalty for Violation.—Any person, firm, or corporation, failing to comply with the foregoing provisions, upon written notice from the Inspector of Buildings, shall upon conviction before the Recorder be fined not more than one hundred dollars or be imprisoned not longer than thirty days for each and every day's failure to comply after the service of said notice.

Sec. 705. Regulations as to Signs.—It shall be unlawful for any person, firm or corporation to erect or maintain any sign over or above any sidewalk, street or alley, that projects more than three feet beyond the property line, or that may be less than nine feet above the sidewalk.

Sec. 706. Number of Square Feet in Signs—How Fastened.—All signs, that project beyond the property line more than 12 inches, and not more than 36 inches, shall contain not more than fifty square feet on each of the two sides, and shall be securely fastened to the walls of the building in a manner satisfactory to the Inspector of Buildings.

Sec. 707. Larger Signs Allowed Under Certain Conditions.—Larger signs made of incombustible material, and securely fastened to the sides of the building, and which do not project more than 12 inches from same, and do not extend above the top of said building, may be erected, provided same are maintained in a manner satisfactory to the Inspector of Buildings.

Sec. 708. Signs on Top of Buildings.—All signs placed on top of any building shall be securely fastened to the roof of said building, and shall be placed wholly within the property line. The lettering on such signs may be made of wood, electric light, or other suitable material.

Sec. 709. No Wooden Sign More than Two Feet High—Limit of Surface—How Erected.—No wooden sign shall be more than two feet high, or contain more than 75 feet of surface, when placed on or against the sides of any buildings.

Sec. 710. Permits Necessary for Signs Above a Certain Size.—Any person, firm, or corporation desiring to erect any signs, that project twelve inches or more beyond the building line, or which contain more than ten feet of sign surface, shall apply and secure a permit for same from the Inspector of Buildings, and it shall be unlawful to erect said sign before securing said permit.

Sec. 711. As to Electrically Equipped Signs.—It shall be the duty of the Inspector of Buildings to secure the approval of the City Electrician before issuing a permit for any electrically equipped signs.

Sec. 712. City Relieved from Damages on Account of Signs—Signs Removed—When—Existing Signs Maintained Under This Ordinance.—All persons hereafter erecting signs shall hold the City harmless on account of all damages to persons or property, and the permit issued therefor shall state that the acceptance of same binds the applicant to this condition and obligation. Should this provision be omitted, or no permit be secured, nevertheless any person hereafter erecting a sign of any size or description, shall be responsible to the City for any damage or judgment, which the City may have to pay on account of injury to person or property from the breaking or falling thereof, or

should said sign otherwise or in any way cause injury, for which the City should be held liable. All signs erected under this ordinance, or otherwise permitted to remain, where not so erected, remain on the condition that they shall be taken down, at any time, upon a resolution by the Mayor and General Council, or, in case of emergency, upon the direction of the Inspector of Buildings. Where permits have already been granted, under existing ordinances, the signs therein authorized may be erected, but shall be maintained, as herein required, and shall be removed as the General Council may hereafter direct.

Sec. 713. Penalty for Violation or Failure to Comply with Direction by Building Inspector or Resolution by Council.—Any person violating the terms of foregoing sections, in any particular, or failing to comply with the resolution of the General Council, or direction of the Inspector of Buildings, as above set out, shall on conviction in the Recorder's Court, be fined not exceeding one hundred dollars or sentenced to a term of thirty days on the public works, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 714. Asbestos or Steel Curtains to be Used in Theatres.—Either asbestos or steel curtains shall be used in all theatres, concert halls, or other places of like character, having a stage and auditorium with curtain between, and said curtain shall be of sufficient size to fully and completely cover the entire opening between the stage and auditorium, and be so hung as to be quickly placed or dropped into position in case of fire, or other danger.

Sec. 715. All Openings Through Fire Walls in Theatres to Have Automatic Fire-Proof Doors.—All openings through fire walls in such theatres or halls between the stage and auditorium shall be provided with fire-proof automatic doors.

Sec. 716. No Wooden Walls Between Stage and Auditorium Allowed.—In the construction of said theatres or halls no wooden walls shall be allowed or built between the stage and auditorium, and should any of said theatres or halls now in existence have a wooden wall between the stage and auditorium, same shall be at once covered with tongued and grooved sheathing, which sheathing shall be covered with three thicknesses of asbestos.

Sec. 717. Exits to Balcony or Upper Verandah.—Where the theatres or similar halls mentioned in preceding sections, have a balcony or gallery, and steps are built therefrom to a verandah in front of said theaters or halls, then, and in such an event, such additional exits shall be provided as may be required by the Chief of the Fire Department and the Building Inspector. In all events, there shall be as many as two exits for such steps on the front, or to and from said verandah.

Sec. 718. Exits to Rear—Size—Safe and Quick Descent to Alley.—Where such theatres or halls have exits leading therefrom to alleys in the rear, or disconnected from the main entrances, said exits shall be provided with steps that give easy, safe, and quick descent, and shall be of sufficient size to accommodate safely crowds that may patronize the portions of the theatre or hall served by such exits.

Sec. 719. Exits Required to Prevent Congestion of Crowds in a Cross-Current.—Where exits from the balcony or gallery are so constructed as that those using same are thrown together or congested, in a cross-current as it were, at or near where the steps or either side come to or near each other, then in such an event independent and separate steps shall be provided from the balcony or gallery, and, if such exits now exist (1904), same shall be changed within sixty days after notice from the Building Inspector to conform to this ordinance.

Sec. 720. Penalty for Violation.—Any person, firm, or corporation, their agents or employees, violating any of the provisions of this chapter, referring to theatres and halls named, or maintaining, operating, leasing, or controlling theatres or halls not constructed as herein provided, shall on conviction in the Recorder's Court, be fined not exceeding two hundred dollars \$(200.00) or imprisoned not exceeding thirty (30) days or both penalties to be inflicted in the discretion of the Recorder.

Sec. 721. Opera Houses, Theatres, Concert Halls, Etc., Must be on the Street Floor.—It shall be unlawful for any person or their agents, officers or employees, to erect play houses, opera houses, theatres, concert halls, or rooms used for like purposes, above the first story. All such houses shall be erected with the floor thereof on or below said first or street floor, provided that galleries may be built in connection with said first or street floor,

if the owner or builder shall provide sufficient exits therefor in accordance with existing or future building laws.

Sec. 722. No Fence Gate, Door, or Shutter to Swing Across Sidewalk Unless Provided with Weights, Springs, or Self-Closing Hinges.—No fence gate, fence door, or fence shutter of any kind shall hereafter be constructed in the City of Atlanta, which by its construction or operation can or will swing across, over or on any public sidewalk or street; unless the same is supplied with self-closing hinges, springs, or weights that will prevent same from standing open on any public sidewalk or street.

Sec. 723. Any Improvement on Fence Gate, Door or Shutter Shall be Held to be Under the Operation of this Ordinance.—Hereafter, when any substantial repairs or improvements are made to any fence gate, fence door, or fence shutter, then said gate, door or shutter shall be held to be under the operation of this ordinance.

Sec. 724. Owner or Contractor Responsible for Proper Construction.—The owner or person directing the work to be done, contractor or person doing the work, either or all, shall be held responsible for the proper construction and operation of the gate, door, and shutter covered by this ordinance.

Sec. 725. Penalty for Violation of Above Ordinance.—Any person found guilty of a violation of this ordinance shall be fined or imprisoned or both in the discretion of the Recorder.

Sec. 726. Loose Lumber, Boards or Material of any Kind not Allowed on the Roofs or Walls of Buildings.—It shall be unlawful for any person, firm, or corporation to allow any loose lumber, boards, wood, tin, iron, brick or other material, article, or thing upon the roof or walls of any building belonging to or in charge of such person, firm, or corporation, where the same is likely to be dislodged, slip or be blown down.

Sec. 727. Tenants of Buildings Cannot Have Signs Thereon, Which are not Securely Fastened.—It shall be unlawful for the tenant of any building or other structure in said City to have upon any house or other structure in the City any sign, which is not securely fastened to the same.

Sec. 728. Penalty for Violation.—Any person violating the provisions of this ordinance shall upon trial before the Recorder be liable to a fine of not exceeding one hundred dollars, or imprisonment and labor on the public works of said City not exceeding thirty days, either or both in the discretion of the Recorder.

Sec. 729. Regulation of the Erection of Private Sanitariums, Hospitals, Boarding Houses Etc.—Location—Permit, Etc.—It shall be unlawful for any person or persons, or corporation, to construct, erect, or build a house to be used as a private Sanitarium, hospital or boarding house, or other house of like character, wherein patients are kept, and medical or surgical treatment is given, or performed, except in the following manner: The applicant shall file with the Building Inspector, in writing, a request for a permit to build, which shall plainly set forth the character of the building, and for what purpose it is to be used; if no objections thereto be filed within twenty-four hours, the same shall be granted; if objections, in writing, are filed by adjacent property owners or near neighbors, within the time above specified, the application, and objections thereto, shall be transmitted to the Mayor and General Council and a hearing and judgment had thereon, and the permit shall not be granted by said Building Inspector until directed so to do by the Mayor and General Council, after hearing the applicant and the objectors.

Sec. 730. Penalty for Violation.—For any violation of this ordinance the party, or parties, on conviction, shall be punished by fine of not less than five nor more than five hundred dollars, or imprisonment in the City Stockade not less than one nor more than thirty days, either or both in the discretion of the Recorder.

Sec. 731. Buildings with Veneered Walls Classed as Frame Buildings—Unlawful to Build Same within Fire Limits.—All frame buildings, having veneered walls of brick, iron, plaster, or other like material shall be classed as frame buildings, and it shall be unlawful to build same within the fire limits; provided open frame sheds with metal roof, or sheds, the enclosing walls of which are of the above-mentioned material, and whose floor area is not greater than 500 superficial feet, will be allowed, when the same are at least ten feet distant from the street line or any adjoining building.

Sec. 732. No Roof in Fire Limits to be Re-Covered with Combustible Material.—No roof in the fire limits, as now prescribed by ordinance, or that may hereafter be prescribed by ordinance, shall be re-covered with shingles, paper, or any combustible material.

Sec. 733. Specification for Rafters or Pitched Roofs—Flat Roofs Must be Constructed to Carry 50 Pounds Per Square Foot of Weight.—All pitched roofs for wood frame structures shall have rafters not less than 2x4 spans of 12 feet long or less, from 12 feet up to and including 18 feet not less than 2x6; from 18 feet up to and including 24 feet not less than 2x8; when said rafters are spaced not more than 24 inches on centers. All flat roofs shall be constructed to carry not less than forty (40) pounds per square foot.

Sec. 734. Dimensions for Ceiling Joists in Frame Buildings.—No person building, or repairing, a wood frame building shall use, or cause to be used, any ceiling joist less than the following dimensions: For spans up to and including 12 feet 2x4 inches, 16 inches on centers; for spans above 12 feet up to and including 18 feet 2x6 inches, 16 inches on centers; for spans above 18 feet up to and including 24 feet 2x8 inches, 16 inches on centers; spans greater than 24 feet shall be constructed to carry not less than forty (40) pounds per square foot.

Sec. 735. Cutting Beams or Joists—How Gas, Water and Other Pipes Introduced.—No gas, water, or other pipes, which may be introduced into any building, shall be let into the beams or joists, unless the same be placed within twenty-four inches of a wall or supporting partition; in no case shall the said pipes be let into the beams or joists more than two inches in depth.

Sec. 736. Penalty for Violation.—Any person violating any of the provisions of preceding sections of this chapter, where no other penalty is named, shall upon conviction in the Recorder's Court be fined not more than one hundred dollars, or imprisoned not more than thirty days, either or both at the discretion of the Recorder.

CHAPTER XXXVI.

Cemeteries—Cemetery Commission.

Sec. 737. Cemetery Commission Created—Control of Sexton and Other Employees.—A Cemetery Commission is hereby created, and to this Commission is given the control of Oakland Cemetery and any other burial place hereafter owned or operated by the City. This Commission shall have the direction of the Sexton, and this officer shall execute their orders. This Commission shall also have the power of selecting all employees required for the maintenance of the City Cemeteries, and shall fix their compensation and direct their labor.

Sec. 738. Commission Shall Establish Rules and Regulations—Management of Cemetery—Their Duty.—The Commission shall establish rules and regulations for the management of the Cemeteries, and the labor of its employees, subject to the ordinances of the Mayor and General Council. All matters pertaining to the operation of such Cemeteries and the care thereof shall be decided by this Commission.

Sec. 739. Number of Members of Commission—How Elected—Term.—It shall be composed of the Mayor and Chairman of Cemetery Committee, Ex-officio, and five citizens to be elected by the Mayor and General Council from those citizens, who own lots in such cemeteries at the first meeting after the approval of this ordinance, and these Commissioners shall be elected for different terms, towit: One, two, three, four and five years after such date. At the expiration of these terms, their successors shall be elected for a term of five years, which is hereby fixed as the regular term of office of such Commissioners.

Sec. 740. Commission to Provide Places of Public Comfort—Rock Wall Along Georgia Railroad to be Raised.—The Commission, as early as possible, shall prepare two or more places of public comfort, to be located in different sections of

the Cemetery, and same shall be kept in a sanitary condition by the employees of this Department. The rock wall running along the South side of the Cemetery parallel with the Georgia Railroad shall be raised. This work to be done under the supervision of the City Engineer. When this work is done, the Commission shall, from appropriations to this Department, have this portion of the Cemetery sown in grass with proper roadway through same, and have a memorial erected therein to the unknown dead.

Sec. 741. Provision for Perpetual Care of Lots.—In order that any lot or part of such cemeteries may secure perpetual care, it is hereby provided that any person may convey to the City property or money to be held in trust, the corpus of increase thereof to be expended in the improvements or preservation and care of the cemeteries or of the lots therein, and the money or property so conveyed shall be held and the trust executed according to the terms thereof, as other trusts are executed under the laws of this State. The Clerk of the Council shall make annual returns to the Ordinary of the money or property so conveyed, and the expenditure of same. Any person desiring to so convey money or property shall, on receipt of such conveyance by the City, through the hands of such Commission, receive a certificate as follows:

Atlanta, Ga19....

RECEIVED OF Dollars, to be held in trust.

..... Dollars, to be held in trust.

Said sum is to be expended by the City of Atlanta, through the Cemetery Commission, in the improvement or preservation of the following lot or portion of said Cemetery:

.....

Clerk of Council."

Or (where the increase of the fund only is used), said fund is to be invested by the City of Atlanta, through its Cemetery Commission, in National, State, or City of Atlanta bonds, the income therefrom shall be applied to the improvement or preservation and care of the following lot or portion of said Cemetery

The City of Atlanta shall never be liable to repay the principal paid into such perpetual repair fund. The Commissioners shall keep a record of all such funds, and the expenditures thereof. Where same is deposited as a perpetual repair fund, a like record shall be kept of the receipt of all interests therefrom, and of its expenditure. The money so received, whether in perpetual or special repair fund, shall be deposited by the City of Atlanta, but kept separate from the City funds, and paid out only on the order of the Cemetery Commission, which order shall specify the purpose of such expenditure. Such order shall be kept by the City Treasurer, and reported to the Mayor and General Council each year in his annual report.

Sec. 742. To Collect Unpaid Purchase Money on Lots—Sexton to Furnish List to Commission.—A full list of all lots, on which no money has been, or on which a part of the purchase money has been paid, shall be made up, together with such data as the records show, or otherwise can be secured, and they shall collect, if possible, such unpaid purchase money.

Sec. 743. Commission Shall Allow No Obstructions to View to Be Grown Up on Lots—Sod Unoccupied Portions—Make Lawns Instead of Walks.—The Cemetery Commission shall hereafter allow no hedge wall, coping, fences, or similar obstructions to view to be erected, or to be grown up on lots. Unoccupied portions of the Cemetery shall be sodded, and, where fences or shrubbery or like obstructions are removed, they shall not be permitted to be hereafter replaced. The Commission shall work to the end of making a lawn of said cemeteries instead of allowing same to be cut up into small walks, or obstructed by streets and shrubbery.

Sec. 744. Remove Trees or Shrubs, Which are Dangerous, or Wire Fences, or Other Obstructions.—Where any trees, shrubs, or like growth, by means of their roots or branches or otherwise injure adjacent lots or avenues, or wire fences, or any dangerous structures are maintained, the Commission shall remove such, or such parts thereof as are injurious or dangerous.

Sec. 745. Loose Monuments or Slabs Required to Be Put in Safe Condition—Shall Endeavor to Keep Up Lots, Where

Entire Family is Dead or Removed From the City.—Where monuments or slabs, or like structures, upon lots have fallen or are out of position, the Sexton shall notify the owners thereof, and the Cemetery Commission shall require same to be placed in safe condition. Said Commission shall likewise repair and beautify all lots or parts of the Cemetery, which remain out of repair on account of removal or death of all members of the family, so far as funds are available therefor, and, when the present force cannot be used, the Commission shall require such additional labor.

Sec. 746. Paupers Buried With Their Own Race.—Persons buried in the section of the Cemetery devoted to paupers shall be entered with their race; for instance, negroes shall be buried with the negroes; and where such paupers are now buried in other sections of the Cemetery, such body shall be removed in accordance with this ordinance.

Sec. 747. Commission May Allow Hedges, Walls, Coping, Etc., Under Certain Conditions Only.—The Cemetery Commission shall endeavor to make a lawn of said cemeteries, instead of having small walks or obstructions by streets and shrubberies, but said Commission shall have the power, in their discretion, to allow a hedge, wall, coping, fences, or similar obstructions to view, to be erected or grown upon lots, where the condition of the lots require same, or it is necessary to preserve the lots or the graves now on same.

Sec. 748. Persons Owning Lots in Cemetery May Occupy Space in Hot-House—Limit.—Any person or persons owning a lot in Oakland Cemetery, if their names appear on the Cemetery Records, shall have the privilege to occupy a space in the hot-house equal to the space occupied by twelve 8-inch flower pots. Should said person or persons desire to use larger or smaller pots or boxes than the 8-inch flower pots, they shall be permitted to do so, but they shall only be allotted a space therein equal to the amount of space above mentioned.

Sec. 749. No One Can Store Flowers in the Name of Another, or Occupy Space, which Might Be Allotted to Another.—It shall be unlawful for any person to store flowers in said hot-house in the name of another person, and no persons shall

be allowed to add to the space above provided the space otherwise belonging or allotted to another lot owner.

Sec. 750. Flowers of Plants Delivered on Order—No Further Liability.—All flowers or plants stored under the provisions of this or the other ordinances of the City shall be delivered to the owners, their agent, or to their order, and, when so delivered, no further liability shall attach for the safe keeping thereof.

Sec. 751. Hot-House Not to Be a Convenience for Wintering Flowers, Not Kept in the Cemetery During Summer.—All flowers or plants stored under the provisions of this or other ordinances of the City must be retained upon lots in said Cemetery either in pots or planted thereon. It shall be unlawful to temporarily place or plant flowers or plants in boxes, pots or otherwise, upon lots in said Cemetery for the purpose of thereby securing their storage in the hot-house with the intention, after the winter, of calling for and removing same from said Cemetery. This hot-house shall not be used as a convenience for the storage of plants or flowers during the Winter, that are not to be kept in the Cemetery during the Summer.

Sec. 752. No Charge for Keeping Plants—Ordinance Not to Be Abused—Penalty for Violation or Abuse of Privilege.—No charge shall be made for the keeping of plants or flowers under the provisions of this ordinance, and no person or persons shall impose upon the terms of this ordinance, or fraudulently misuse the privileges of this or other ordinances of the City providing for the storage of plants or flowers in said hot-house. Any person or persons, either by themselves or by their agent, violating any of the provisions of this ordinance, shall hereafter be excluded from the use of said hot-house for any purpose and at all times. When the Sexton shall ascertain that this ordinance has been violated by any person, he shall give orders that no flowers or plants hereafter be received in said hot-house from such person, and shall take such methods and give such directions as shall be necessary to entirely exclude such persons from the privileges of storing plants or flowers in the Cemetery hot-house.

Sec. 753. Hot-House Only for Use of City and Owners of Lots in Oakland Cemetery.—The hot-house in Oakland Cemetery shall not be used to store or preserve any other plants, flowers, or cuttings, than those belonging to the City, and to the owners of lots in Oakland Cemetery, and which are kept and used in the Cemetery for the purpose of beautifying the Cemetery, and burial lots therein, but said hot-houses may be used in Oakland Cemetery to the extent of its capacity in the discretion of the Sexton and the Cemetery Committee without charge for such use either to the City or the owners of burial lots in said Cemetery.

Sec. 754. Unlawful to Sell Plants, Flowers, or Cuttings from the Hot-House—Surplus Used to Beautify Confederate Graves.—It shall be for the Sexton or any other officer or employee of the City of Atlanta to sell or offer to sell plants, flowers, or cuttings from the hot-house aforesaid to any person for any purpose, or to give away such plants, cuttings or flowers for use outside of said Cemetery. Any surplus plants, flowers, or cuttings from said hot-house may be used, in the discretion of the Cemetery Committee, for beautifying the graves of the Confederate Dead.

Sec. 755. Penalty for Violation.—A violation of any of the provisions of either of the preceding sections of this ordinance shall be punished, on conviction in the Recorder's Court, by fine not exceeding one hundred dollars or imprisonment not exceeding thirty days, in the discretion of the Court.

Sec. 756. Charge for Use of Receiving Vault—Limit Ten Days.—When any dead body is deposited in the Receiving Vault in Oakland Cemetery, the fee for digging a grave, to-wit, Four Dollars, shall be paid to the Tax Collector for the use of the City of Atlanta, and no other charge be made for the use of said Receiving Vault, if the body is removed therefrom and buried within ten days after being deposited in said vault.

Sec. 757. Additional Charge Per Month or Fractional Part After Ten Days.—An additional charge of three dollars per month or fractional part thereof shall be collected for the use of said vault beyond ten days from the date of deposit in any case.

Sec. 758. Fee Collected, Whether Body Buried in Oakland or Not.—The grave fee of four dollars shall be collected for the deposit of any dead body in said vault whether it be afterward buried in Oakland Cemetery or not.

Sec. 759. When Body is Deposited in Receiving Vault, Board of Health Issue Removal Permit upon Application Without Charge.—In all cases, where a dead body has been deposited in the Receiving Vault in Oakland Cemetery, it shall be the duty of the Board of Health of the City of Atlanta, when application is made in due form for the removal of said dead body, to issue a removal permit for interment in said cemetery, or elsewhere, without making charge for said removal, except for difference in price of graves, if any, in case interment is to be made in Oakland Cemetery.

Sec. 760. If Fee Not Paid in Thirty Days—Five Days Notice—Body Buried in Pauper Field.—If the fee for the use of the Receiving Vault remain unpaid for the term of thirty days after same becomes due, it shall be the duty of the Commission to notify, in person if possible, if not by letter, the family, or the persons depositing said bodies, that said fee remains unpaid, and, in the event the notice above provided for has been served for the space of five days, and said fee is not paid within that time, then said Commission shall cause said body to be removed from the vault, and inter the same in the pauper field, using the fee deposited with him as the grave fee to cover the costs of this interment.

Sec. 761. Unlawful For an Officer or Employee of the City to Speculate in Cemetery Lots or Other Property Offered for Sale by City.—No officer or employee of the City shall purchase from the City, at public or private sale, for purposes of speculation any property offered for sale by the City, whether same be lots in Oakland, or any future Cemetery, or lands seized under tax executions, or lands purchased and held under tax executions, or any other real or personal property of the City, that it may see fit to offer to the public for sale. The term "speculation," as herein used, shall mean a purchase, not for personal ownership or use, but purchase for the purpose of re-sale at a profit.

Sec. 762. Graves—Disturbance of—Penalty.—Any person or persons, who shall in any wise disturb any grave, deface, pull up, or remove anything put or placed to mark a grave, or any paling or wall placed around a grave, or shall remove any plank, posts or timbers in the graveyard, such person or persons, so offending, on conviction thereof, before Recorder's Court, shall pay a fine not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Sec. 763. Disturbing Tombs or Structures of Any Kind—Unlawful—Penalty.—Any person, who shall destroy, mutilate, deface, injure or remove any tomb, monument, gravestone, or other structure placed in the Cemetery, in said City of Atlanta, or any fence, railing, or other work, for the protection or ornament of any tomb, monument, gravestone, or other structure aforesaid, or for the ornament or protection of said Cemetery, or shall willfully destroy, cut, break, remove or injure any tree, shrub, or plant, that may have been planted, or that may be growing in said Cemetery, or commit any other trespass within the limits of said Cemetery, shall, upon conviction thereof, before the Recorder's Court, pay a fine of not exceeding one hundred dollars, and may be imprisoned in the guardhouse or calaboose not exceeding thirty days, which money, when collected, shall be applied, one-half to the informer, and the other half, by City Council, under the direction of the Committee on the Cemetery, to the reparation and restoration of the property destroyed or injured as above.

Sec. 764. Cannot Sell Fruits or Drinks in the Cemetery.—Any person or persons, who shall sell or offer for sale, any article of merchandise, or any fruit, drink, or beverage, or anything of value, within the limits of the Cemetery, shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 765.—Cannot Bury Outside of Cemetery in City Without Permission From Council—Penalty.—Any person or persons, who shall bury, or cause to be buried, any dead person or persons in any other place in this City than the public Cemetery, without permission of Council, shall, on conviction in the Recorder's Court, pay a fine of not exceeding one hundred dol-

lars and costs, for each offense, or be imprisoned not exceeding thirty days.

Sec. 766. Regulation as to Gates of Cemetery.—The large gates leading into the City Cemetery shall be kept opened for funeral occasions, or other cases of necessity; provided, that half of the Boulevard gate shall be held open, during the usual hours, for use of pedestrians. The gate on Hunter street shall be the general funeral entrance to said Cemetery and shall be kept opened, during usual hours. The small gates shall be kept open during the day.

Sec. 767. Bell—Occasions for Ringing—Penalty for Remaining in Cemetery After Bell Rings to Close, Etc.—A bell shall be placed at the Sexton's office, which shall be rung at a specified hour in the morning, when the Cemetery will be open to the public, and said bell shall again be rung at a specified hour in the evening for the space of fifteen minutes, as a signal for all persons to retire from said Cemetery before the gates are closed for the night; and any person or persons found remaining in said Cemetery after the bell has ceased ringing in the evening, or found in the Cemetery before the ringing of the bell in the morning, shall be arrested by any person or officer clothed by the City with authority to make such arrest, and, on conviction, in the Recorder's Court, shall be punished by fine not exceeding one hundred dollars, or imprisoned not more than thirty days.

Sec. 768. Signs Placed Conspicuously, Warning Against Violation.—A sign or notice shall be placed at one or more places in said Cemetery, warning parties against the violation of the preceding section of this ordinance.

Sec. 769. Injuries By Trees and Shrubs—When Complained Of—Parties Shall Remove—Upon Failure, Sexton Removes.—Whenever any tree, shrub, or plant standing in said Cemetery shall injure any monument or decoration in an adjoining lot, by the drip from its leaves or otherwise, on complaint being made thereof to the Sexton, it shall be his duty to notify the party or parties owning the said tree, shrub, or plant, to remove the same, and, in case he, she, or they shall refuse or fail to do so,

then, and in that event, the Commission shall have power to remove or cause to be removed said tree, shrub, or plant.

Sec. 770. Workmen on Lots—Must Have an Order from Owner—Work Must Not Interfere With Walks, Decorations, Etc.—Any person or persons entering said Cemetery for the purpose of working on any lot or lots belonging to another person or persons shall first present to the Sexton an order in writing from the owner (or agent of the owner) of said lot or lots, stating it to be their wish that the bearer thereof be permitted to work on said lot or lots, and such work must not interfere with the walks, decorations, or other general arrangements in any manner, under the supervision of the Sexton.

Sec. 771. Carriages—Drays—Wagons—Must Not Occupy Walks Prohibited by Sexton.—Any person or persons having in charge any carriage, wagon, dray, or any vehicle, shall not drive the same on, or allow the same to occupy, any walk or alley prohibited by the Commission or officer in charge.

Sec. 772. Burial of Colored Persons Prohibited in Certain Parts.—The Sexton shall not bury, or allow to be buried, any colored persons upon ground set apart for or used for the burial of white persons.

Sec. 773. Night Guards—When Elected—Term—Compensation—Powers—Duties.—There shall be elected by the Police Commissioners, at the time other officers of the police force are elected, two night guards for the Cemetery, who shall hold their office for two years, unless dismissed for cause. Their compensation shall be payable monthly. Their hours of service shall be the same as those now required of the police force. They shall have all the powers of regular policemen, and shall guard the Cemetery at night and arrest all intruders and violators of City ordinances in and around the cemetery. (Civil Service Now).

Sec. 774. Captain or Sergeant of Police—Visits Cemetery—How Often—For What Purpose.—The Board of Police Commissioners shall cause one of the Captains or Sergeants of Police, on duty, to visit the cemetery at least once every night, and as often as may be necessary, to see that the cemetery guards are

in the proper discharge of their duties, and carefully protecting the cemetery from intrusion.

Sec. 775. Regulation of Work in Oakland Cemetery.—It shall be unlawful for other than regularly licensed contractors to contract for, or build walls, vaults, or lay foundations, and set monuments in Oakland Cemetery, and in no case shall a contractor for any of the above-named works sub-let such work to other parties, thereby attempting to relieve themselves of the responsibility or liability for such work; provided, that nothing herein contained shall prevent any owner from having work done on such lot by other than licensed contractors, when work is done in conformity with regulations prescribed in this ordinance.

Sec. 776. Contractors Shall Immediately Remove Debris After Completion of Work—Cannot Use Walks as Storage Yards. All parties doing work in said cemetery shall properly prepare their material for doing such work before carrying it into the cemetery, and all such parties shall immediately, upon the completion of any piece of work, remove all refuse, such as stone, brick and dirt from excavation, etc., placing the same wherever the Sexton may designate, if wanted in the cemetery. It is hereby made unlawful for any such party to use the walks or driveways in said cemetery for work or storage yards, unless by special permit from the Sexton.

Sec. 777. Commission to Furnish Grade and Lot Line—Excavations for Monuments—Depth—Penalty for Violation.—All parties, before commencing the erection of any wall along the walks or driveways in said cemetery shall get from the Commission therein the proper grade and lot line for said walk or driveway, and all excavations for walls shall not be less than one foot below the line of permanent grade. All excavations for monument work shall not be made less than two feet deep, and as much deeper as is necessary to secure a firm foundation, and the same shall be approved by the Sexton in charge. Any person or persons violating any of the provisions of this ordinance shall, upon conviction before the Recorder's Court, pay a fine of not more than one hundred dollars, or serve not more than thirty days upon the public works of the City, either or both, within the discretion of the Court.

Sec. 778. Paupers—Where Buried.—All orders for paupers' graves shall be directed to West View Cemetery Association, and all pauper interments made by the authorities of the City of Atlanta shall be in West View Cemetery until the further action of this body.

Sec. 779. Cannot Exhume Bodies in Oakland Without Permit From Board of Health—Said Board Make Rules in Regard to Same.—It shall be unlawful to exhume dead bodies at Oakland Cemetery without a permit from the Board of Health of the City of Atlanta, and any person so offending shall, on conviction be fined not exceeding one hundred dollars, or to work and labor on the public streets of the City not longer than thirty days, either or both, in the discretion of the Recorder's Court. And the Board of Health is hereby authorized and empowered to make such rules and regulations as may be necessary and proper to carry out the true intent and purpose of this ordinance.

Sec. 780. Graves—Depth in Oakland—Other Restrictions.—No grave in Oakland Cemetery shall be less than five feet deep. The opening of a grave in said Cemetery, and the interring therein of an additional body, is forbidden. Any person or persons violating any of the provisions of this ordinance shall, on conviction before the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisonment not longer than thirty days, either or both, in the discretion of the Court. It shall be the duty of the Sanitary Inspectors to see to the enforcement of the provisions of this ordinance.

Sec. 781. Sale of Vacant Lots in Oakland Cemetery—How Made.—The vacant lots in Oakland Cemetery belonging to the City of Atlanta shall be sold under the direction of the cemetery Committee. The money so obtained from the sale of said lots shall be devoted to the improvement of said cemetery.

Sec. 782. Brick Vault Graves Built by City—Prices.—The City of Atlanta shall furnish all material and build all brick vault graves in Oakland Cemetery. The price of such graves shall be graded, including the digging of the grave and a brick vault, complete, at the following rate: For children under five years of age, fifteen dollars; for children between the ages of five and fifteen years, twenty dollars; for persons more than fifteen years of age, twenty-five dollars.

Sec. 783. Applications for Graves Made to Board of Health—To be Paid for in Advance.—Applications for graves shall state whether the grave is to be a brick vault grave, or a plain grave, and shall be paid for, when the permit and order for the grave is given, at the office of the Board of Health, and the same shall be turned into the City Treasury in the same manner as are all other moneys.

Sec. 784. Rules for—Made by Commission.—The power to make rules and regulations as to interments, disinterments and reinterments, including the use of Receiving Vault, in Oakland Cemetery, and to fix charges therefor in all cases not herein provided for, shall be vested in the Cemetery Commission, provided, however, that no interment, disinterment or reinterment can be made without a permit from the Board of Health; that when said permit is applied for, it must be accompanied, with the charge fixed, as prescribed by this ordinance, for the service applied for, which charge shall be paid for at the office of the Board of Health at the time of such application, to be turned into the City Treasury in the same manner as all other moneys; and that when the application is for interment or reinterment, character of interment desired must be stated, and, if a grave, whether it is to be a plain grave, or is to have a brick or reinforced cement lining.

Sec. 785. Charges.—The following schedule of charges is hereby fixed, and the same shall be enforced by the Cemetery Commission:

For opening and closing grave for person ten years old and over	\$ 5.00
For opening and closing plain grave for person under ten years old	3.00
For Lining any grave with brick or reinforced cement ..	25.00
For placing any body in Receiving Vault temporarily, not to remain longer than ten days, where grave charge has not been paid, or to be allowed as credit on such charge if grave is opened in ten days	5.00
For placing body in Receiving Vault, not to remain longer than ten days, where charge for opening grave has been paid	No Charge
For allowing body to remain in Receiving Vault longer than ten days, but not exceeding twenty additional days	3.00

For disintering body of person ten years old or over from plain grave	5.00
For disintering body of person under ten years old from plain grave	3.00
For disintering body of person ten years old or over from brick or cement lined grave	10.00
For disintering body of person under ten years old from brick or cement lined grave	7.50
For removing any body from Receiving Vault	3.00
For reinterment: The charges herein fixed for original interment.	
For any services the charges for which are not herein fixed: Such charges as Cemetery Commission shall fix.	

Sec. 786. Charges for placing body in Receiving Vault, or allowing it to remain there, shall be paid in advance and turned over to the City Tax Collector; and no body shall be allowed to remain in Receiving Vault longer than thirty days without express permission of Cemetery Commission, and then only by the payment of twenty-five cents for each day the Commission allows the body to remain.

Sec. 787. Vault—Use of.—In the event a body is placed in the Receiving Vault, and is not removed at the expiration of the time allowed, or the charge for use of Vault remains unpaid for thirty days, it shall be the duty of the Cemetery Commission to have notified (in person, or by letter) the family, or the person depositing said body; and if said body is not removed, or the charge paid, within ten days after the service of such notice, the Commission shall have said body removed from the Vault and deposited in the pauper portion of the Cemetery.

Sec. 788. Depth of Graves—Superintendence of Sexton.—No graves shall be dug less than five feet deep, nor shall any grave be dug, or corpse interred, except as provided by rules of Cemetery Commission.

Sec. 789. Record—Contents.—The Commission shall provide a record of all the deaths and burials in the City, giving the name, age, place and nativity, disease, and the place from whence buried, and time of residence in the City.

Sec. 790. Record of Interments, With Details—Whether Removed, Etc.—It shall be the duty of the Commission to keep a record of all bodies interred in said cemetery, either in the receiving vault or elsewhere, and date of such interment, showing name, age, color, sex, social relation, residence, cause of death, date of death, and name of physician or other party certifying to said death, as shown by the burial permit issued from the Board of Health office. The said record shall also show whether the body was afterwards moved from the receiving vault to a grave, or from one grave to another, or from said Cemetery to another cemetery beyond the limits of the City of Atlanta, the date of said removal, and bear the signatures of the undertaker making the removal.

Sec. 791. When Removal Permits are Issued—By Whom.—In all cases, where a dead body has been deposited in the receiving vault in Oakland Cemetery, it shall be the duty of the Board of Health of the City of Atlanta, when application is made in due form for the removal of said dead body, to issue a removal permit for interment in said Cemetery, or elsewhere, without making charge for said removal except for difference in price of graves, if any, in case interment is to be made in Oakland Cemetery.

Sec. 792. Record of Sale of Lots—No Sale Recognized Unless Recorded.—Where lots are sold, a record shall be kept thereof by the Commission on blanks furnished by the City and a memorandum thereof shall be made with the City Clerk. No sale shall be recognized until such records have been entered, and this record shall only be made on production of deed showing sale.

Sec. 793. Duplicate Set of Cemetery Files and Records to be Kept—Contents—Duplicate Plats.—The Commission shall keep duplicate set of cemetery files and records, that will give complete data of all interments, full information regarding deaths, giving the name, age, place of nativity, disease, attending physician, time of residence in the city, name of undertaker, and these shall be made in duplicate. Duplicate plats shall be made, giving location of every grave on each lot, and where no record exists of interments, a transcription shall be made from whatever may be secured from the tombstones, slabs or from relatives and friends.

Sec. 794. Work on Lots by Owners—Record by Sexton—Information Given that May be Desired.—Blanks shall be printed and kept at the office in the cemetery for a description of the work contracted for by lot-owners. These blanks shall indicate the name of the workman or contractor, to be signed by the contractor, and give a general idea of the work to be performed. The Commission shall at any time give information to the owner as to the work done on said lot by parties contracting to work on same, said report may be signed by the superintendent or officer in charge, providing nothing in this section shall be construed to prevent the owner or their servants from attending to and caring for their lots as they may desire.

Sec. 795. Notice to be Given Lot Owners of Repairs Necessary on Lots—Blanks Furnished for the Purpose—Reinforced Cement Vaults Recommended—No Further Purchase of Slate.—The Commission shall give notice to all owners of lots of any repairs needed on same, such as straightening or raising of stones, or slabs, sunken graves, weeds, or like conditions. Blanks to be furnished the Commission therefor, and shall be filled out and mailed to such lot-owners. These notices must be sent until the repairs are made, and from time to time thereafter as such other repairs may be needed. Reinforced cement vaults are recommended to lot-owners in lieu of slate vaults, and no further appropriations will be made for the purchase of slate.

Sec. 796. Charges for Burials—Fees for Burials, Etc.—From and after the passage of this ordinance the prices stated below shall be charged for burials, etc., in Oakland Cemetery, and collected in conformity with the Coupon System, to-wit:

Attending funeral with hearse	\$2.00
Attending funeral without hearse	1.00
Special or general invitation	1.50
Attending without the corporate limits, within three miles, double price, which shall be paid over to the City Tax collector.	

Sec. 797. Sexton, Office Repealed.—All ordinances or parts of ordinances requiring the election of Sexton, and designating his duties or compensation as such, are repealed.

CHAPTER XXXVII.

CHIEF OF CONSTRUCTION—INSPECTION OF PUBLIC
IMPROVEMENTS—SEWERS—STREETS
SIDEWALKS.

Sec. 798. Chief of Construction—Authority—Qualifications—The position of "Chief of Construction" is hereby created, and this office shall have all the power and authority heretofore given the offices of City Engineer and Commissioner of Public Works, and all such work as paving, sewers, curbing, sidewalks, repairing of same, engineering work, grades and any and all work, or authority, now vested in either Commissioner of Public Works or Department of Engineering, shall hereafter be vested and exercised by the Chief of Construction, no one shall be eligible therefor unless he be a competent civil engineer, of ten years practical experience.

Sec. 799. Salary.—The salary of said office is hereby fixed at the sum of Three Thousand Six Hundred (\$3,600.00) Dollars per annum, payable in monthly instalments.

Sec. 800. Assistants—Sewers—Streets—Sidewalks.—Said Chief of Construction shall have authority to appoint his assistants, but the Mayor and General Council have authority to decide how many assistants he shall have and the salaries of such assistants, but at least the following assistants are hereby created for said Chief of Construction, to-wit: one in charge of sewers; one in charge of streets; one in charge of sidewalks; one in charge of repairs.

Sec. 801. Duties—Chief of Construction to Work to His Plans—He Shall Keep a File of Plats.—It shall be the duty of the Chief of Construction to survey, lay out, and give the grade of streets and sidewalks, and the inclination and shape of drainage for the City, and the form and dimensions necessary to culverts, and the thickness and strength necessary to all walls that are to be filled with earth, and to perform all other duties in his

line of business that he may be called upon to do by resolution of Council or the Street Committee, and to do all the engineering necessary for the City. He shall file and carefully preserve in his office, properly indexed, all plats of property furnished him by parties, who make subdivisions of such property for the purpose of sale or otherwise.

Sec. 802. Record of Cost of Sewers to be Kept—Collect from Parties Pro Rata Before Allowing Connection with Sewer.—He shall keep a record of the cost of all sewers that have heretofore been laid down, and collect through the Street Improvement Collector from all persons desiring to connect therewith, before granting them permission to do so, such an amount in proportion to the whole cost of the sewer as the frontage of his lot bears to double the amount of the whole length of the sewer. The Street Improvement Collector shall pay over all amounts thus collected to the City Treasurer through the Comptroller system.

Sec. 803. Chief of Construction Shall Give Bond—Amount.—The Chief of Construction shall give bond, with good and satisfactory security, in the sum of one thousand dollars, for the faithful performance of his duties.

Sec. 804. He Shall Make Plats of Streets for Permanent Improvements—Furnish Street Improvement Collector with Amounts Due by Property-Owners.—For all permanent street improvements, whether for sidewalks, streets, pavements, or repairs of streets or sidewalks, or sewer assessments, when passed on by the Mayor and General Council, and concurred in by the Aldermanic Board, the Chief of Construction is hereby required to make a plat of each street, or a portion of a street to be so improved, with the names and frontage of each property-owner on said street; and when the street, or a portion of a street is completed, he is required to furnish the Street Improvement Collector with said plat, specifying the amount due by each property-owner. Then it becomes the duty of the Street Improvement Collector to keep a separate set of books for street improvement purposes, and he shall be required to make monthly reports to the Mayor and General Council of all money received, and from whom, and also the names and the amount due from each property-owner who may be indebted to the City for street improvement.

Sec. 805. Permanent Grades—Survey by City Engineer—Council to Fix Grade—Clerk Enters Date of Adoption—Filed in Chief of Construction Office.—When any person, firm, or corporation shall apply for a permanent grade, or when in the construction of sidewalks, sewers, or improvement of any street or alley in said City, it shall become necessary to fix and establish a permanent grade, all the surveys, plans, profiles and grades, and other work necessary to perfect the same, shall be done and furnished by the City Engineer to the Mayor and General Council, who shall, by ordinance, fix and establish such grade, and have the Clerk of Council enter on the profile, showing such grade, the day and date of its adoption by Council, and such profile shall then be filed in the Chief of Construction office.

Sec. 806. Work in Conformity with Grade Fixed by Ordinance—No Change Made Unless by Mayor and General Council.—After said grade has been established by the Mayor and General Council, the work shall be done in conformity therewith. Hereafter no change shall be made in the grade of any street or alley, unless the same shall first be fixed and established by the Mayor and General Council.

Sec. 807. Permanent Grades—How Obtained by Persons—Expense.—When any person shall apply for a grade, he or she shall place with the Chief of Construction the sum of two dollars as a deposit to secure costs—and when such grade of such applicant is made and established, he or she shall pay the further sum of three dollars before becoming entitled to such grade.

Sec. 808. Chief of Construction Shall Inspect all Public Works—Appoint His Own Assistants—See That Work Conforms to Specifications.—The Chief of Construction shall have entire charge and control of the inspection of all street, sidewalk and sewer work and improvements in the City, and shall, by himself, or competent assistants chosen by himself, have all such work thoroughly and efficiently inspected as the same progresses, and, where the immediate inspection is made by assistants appointed by him, he shall himself have a general supervision of such work of inspection, and is charged with the duty of seeing that all work done and material used in any such street, sidewalk and sewer work and improvement, is strictly in ac-

cordance with the specifications for the same, to the end that the City, and the people, who pay for the same, shall be fully protected against inferior work and material.

Sec. 809. He Shall Reject Improper Work and Material—Make Estimates as the Work Progresses, and Final Estimates.—Should the Chief of Construction at any time, or during any stage of the work, or after completion of the same and before the payment therefor, ascertain that any improper work has been done, or any inferior material used, it shall be his duty to require the same executed according to the specifications, before approving the bill for the same, and before entire and final payment for the same is made. But said Engineer may make and enforce reasonable regulations for approval, or preliminary estimates on such work, as the same progresses.

Sec. 810. Make Out Bills Against Property Owners on Completion of Work, as Above.—The Chief of Construction shall make out all bills against property owners for curbing, sidewalk, and street paving, sewer assessments, etc., which shall be numbered consecutively, and entered by him in books prepared for that purpose, which he shall turn over to the Comptroller, and the bills to the Street Improvement Collector for collection, and the amounts of same shall be receipted for by said Collector to the Comptroller. The Collector shall receive credit for Collections on above accounts, and the Treasurer charged with same upon presentation of daily receipts from Treasurer.

Sec. 811. Transmits to Council a Copy of Monthly Statement.—The Chief of Construction shall hereafter transmit to each member of the Street Committee a copy of the monthly statement submitted the General Council, at the same time same are filed with the Clerk of Council.

Sec. 812. Chief of Construction—Controls Execution of all Public Work.—The Chief of Construction shall have full and complete control of the execution of all work of every kind ordered from time to time by the Mayor and General Council on the streets, sidewalks, curbing, bridges, culverts, sewers, and drains of the City, except the inspection of paving streets and sidewalks,

and construction of sewers let out by contract, which is the duty of the Chief of Construction.

Sec. 813. May Change or Continue Rules of Former Board of Commissioners of Streets and Sewers—Duties of Former Superintendent Devolve upon Chief of Construction.—The organization, rules, forms, and methods of business formerly used and in operation under the Board of Commissioners of Streets and Sewers shall be devolved on and may be continued in use by said Chief of Construction in the transaction of his business until changed by him, or by the General Council, except that the Chief of Construction shall discharge the duties formerly devolved on the Superintendent of Streets, which latter, as a separate office, is hereby abolished.

Sec. 814. He Shall Make Estimates on Amounts Needed—For Streets—Sewers—Permanent Improvements—Particular Work—Expense of Department.—The said Chief of Construction, shall, in January of each year, make up and present to the Finance Committee of the General Council an estimate of the amount, that will be necessary for all work on the streets and sewers, and other work and expense of his department for the year; and the Mayor and General Council shall, at the time the other apportionments are made, set apart and apportion to said street and sewer work, or other work and expense in the department of said Chief of Construction such amount or amounts as may, in their judgment, be necessary and proper for the year. The amounts thus apportioned shall be paid out in such a manner as the said Mayor and General Council shall provide, and such reasonable amount as may be necessary may be advanced before the annual apportionments in June, as other apportionments of the City. Said Chief of Construction shall, in furnishing the estimates above mentioned, specify the same separately, stating how much will be necessary for streets, how much for sewers, and how much for permanent improvements, or other particular work, or expense in his department.

Sec. 815. Shall Report at First Meeting of Council Monthly Work Completed—In Progress.—Said Chief of Construction shall, at the first regular meeting in each month, furnish to the Mayor and General Council a detailed statement of work in progress, and of work completed in his department during the

past month, and shall, in said report carefully show, as to each work or expenditure, how far the actual expense has overgone or fallen short, as the case may be, of what was estimated for it when the work was ordered, and shall, on the Saturday before each regular meeting of said Mayor and General Council, furnish to the Clerk of Council, and the same to be entered on the minutes, a carefully prepared statement, showing all work ordered but not done and paid for, so as to exhibit the amount, as near as he can estimate, of liabilities or expense previously incurred by vote of the General Council, but not up to that time appearing in the Expense Accounts of the Clerk's Office, in such form and to such effect as that the Comptroller may be enabled to enter and deduct the same under appropriate heads in the financial statement required by law to be made up at each meeting of said body.

Sec. 816. Make Out Accounts—By Whom Approved—How Paid—Responsible for the Exercise of Due Economy.—All accounts for work done in the department of said Chief of Construction to be paid for out of the regular annual apportionment set apart by the Mayor and General Council for such work, shall before they are paid, be made out as other accounts against the City are made, be approved by said Chief of Construction, if found correct, and approved in like manner by the Committees on Streets or Sewers, as the case may be, and delivered to the Comptroller, and shall then take such course as other accounts against the City; and said Chief of Construction shall be responsible to the Mayor and General Council for the just and economical expenditure of the public funds in his department.

Sec. 817. Shall Appoint and Discharge Employees—See to Execution of All Contracts.—And said Chief of Construction shall have the right of appointment and discharge of all employees in his department, except as hereinafter provided, and see to the execution of all contracts, and see to the correctness of all dealings with said City of Atlanta, and on behalf of said City, pertaining to his department.

Sec. 818. Subject to Direction by Mayor and General Council.—In the execution of his office and discharge of all the duties thereof, he shall be subject to the direction and control of the Mayor and General Council, and to such orders, regulations, and

ordinances as that body may from time to time adopt in relation to the same.

Sec. 819. Not to Expend More than One Hundred Dollars on His Own Motion—Takes Place of Commissioners of Streets and Sewers—Except, Etc.—The said Chief of Construction shall not be authorized to make any contract, or to do any work on his own motion, the cost of which would exceed one hundred dollars. The jurisdiction of the said Chief of Construction shall extend to and embrace all the powers and duties exercised by the Commissioners of Streets and Sewers under then existing laws, except in so far as they may be repealed or modified by the Act of the Legislature creating the office of Chief of Construction or by ordinances of the City now existing or hereafter passed.

Sec. 820. Sell Condemned Stock, Vehicles, Etc. at Auction—Report—He Cannot Purchase at Said Sales.—The said Chief of Construction shall, from time to time, at public auction, of which due and proper publication shall be made, dispose of all condemned stock, vehicles, and appliances, and old and unused material in his department, after first submitting the proposition to the Mayor and General Council and obtaining their order therefor, and shall make a written report after each sale so made at the next meeting of the Mayor and General Council, giving a detailed statement of articles sold and price brought, and accompanying said report with the receipt of the Tax Collector for the funds arising therefrom; and the City's title to such property shall not be diverted in any other manner than as herein provided. It shall be unlawful for the said Chief of Construction, either directly or indirectly, to be a purchaser at these sales of any such property.

Sec. 821. Shall Keep a Complaint Book—Examine all Complaints—Remedy.—The said Chief of Construction shall keep in his office a book to be known as "The Complaint Book," wherein the police, sanitary inspectors, or any citizen may, from time to time, make entry of obstacles and defects in the streets and sewers needing immediate remedy; and it shall be the duty of the said Chief of Construction to at once examine into the same, and to take such steps as he may be authorized by law to provide a remedy for the same.

Sec. 822. Clerical Help Provided for—How—Compensation.—The Finance Committee of the General Council shall be and the same are hereby authorized to furnish the Chief of Construction with such clerical help as may be necessary to discharge the duties in connection with his office heretofore discharged by the Clerk of Commissioner of Public Works. The compensation of such help, as may be employed, to be paid out of the appropriation for streets ordinary, and not to exceed \$1,000.00 per annum, payable in monthly installments.

Sec. 823. Chief of Construction's Clerk Under his Direction and Control.—The Clerk of the Chief of Construction shall perform such duties as shall be prescribed by said Chief of Construction, and shall be under his direction and control and shall be subject to suspension or removal by said Chief of Construction.

Sec. 824. Chief of Construction—His Clerk—Neither Engage in Other Business.—The said Chief of Construction and his clerk shall devote their entire time to the interests of the City, and shall have or engage in no calling or business other than the duties of their respective offices.

Sec. 825. Chief of Construction to Have an Office—Assigned by Whom.—There shall be assigned to said Chief of Construction by the Committee on Public Buildings a suitable office or office-room for the transaction of the business of his department as the interests of the same and of the public may demand.

Sec. 826. Tags on City's Teams—Also on Hired Teams—Where Placed—Penalty for Violation by Driver.—All teams, either single or double, shall have a red metal tag not less than three inches long, and one and one-half inches wide, attached in the following manner:—Each tag to be stamped, "City of Atlanta." Every two-horse and four-horse team to have this tag attached to bridle at the earband, on the outside of each animal; single draft animals to have it attached in similar manner on each side. All teams, that are hired by the City, while they are in the employ of the City, are to be tagged in the same manner. Any driver of teams belonging to the City, or of teams in the employ of the City, who does not comply with this ordinance,

shall on conviction in the Recorder's Court, be fined not exceeding fifty dollars, or imprisonment not longer than thirty days.

Sec. 827. Order In Which Work on Streets, Sewers, or Sidewalks, is Done.—All street, sidewalk, and sewer work shall be done in the order in which the same was passed up by the Mayor and General Council, all work passed up at the same meeting having equal rank, but the Mayor and General Council may at any such meeting fix the order in which work passed up at the same meeting shall be executed.

Sec. 828. This Order May be Changed by Mayor.—Emergency Cases—Subject to Concurrence of Council.—The order fixed, as provided for in the preceding section, for the execution of work, shall not be changed or varied, except by action of the Mayor and General Council: provided, that the Mayor, in an emergency, shall have the discretion to change the order of any such work; but such change, when authorized by the Mayor, shall be reported by him to the next meeting of the Mayor and General Council, and shall not longer prevail, unless such change be then and there concurred in by the Mayor and General Council.

Sec. 829. Chaingang—How Used by Chief of Construction—Under Whose Direction.—The Chief of Construction shall only have the force of hands, known as the chaingang, used for the purpose of grading streets and sidewalks where the Mayor and General Council orders and passes up the work during the current year, and, when not engaged on such work, such force shall be used by said Chief of Construction under the direction of the Mayor and Street Committee.

Sec. 830. He Shall Make out Bills—Enter in Books—Turn Over to Street Improvement Collector—Collected as Other Bills.—The Chief of Construction shall make out all bills for sewer entrance fees, removing and replacing permanent street improvements, where water, gas, or sewer pipes are laid by citizens, and other work of like character, and enter the same in the books properly prepared for the purpose, and turn over the same to the Street Improvement Collector, and the said bills shall be collected in conformity with the coupon system. All bills not promptly paid shall have executions prepared for same by the

Street Improvement Collector, and issued by the City Clerk. The Chief of Construction and Street Improvement Collector shall each make monthly reports of all such bills to the Comptroller.

Sec. 831. Deposit by Bidders for Furnishing Material—How Regulated—When Forfeited.—In all cases, where advertisements for bids for the furnishing of material, or the construction of work, or both, for and to the City, provide and require bidders to deposit money or checks with their bids, such bidders shall not be allowed to withdraw either their bid or their deposit or check, and in all cases, where such bidders are awarded the contract, for which they have bids, and refuse to execute the contract, or perform the work, or furnish the material, as proposed, the deposit or check shall be forfeited to the City, and covered into the Treasury of the City as liquidated damages and the said advertisements shall set forth this condition.

Sec. 832. Future Bids—Accompanied by Affidavit—Contents—Penalty for Violation.—No bid of any contractor for permanent street, sewer, or sidewalk work shall be entertained, unless there shall accompany the bid of the contractor an affidavit, wherein the contractor shall state under oath that he has not, by himself or others, directly or indirectly entered into any combination, arrangement, or scheme whatsoever with any other bidder to increase the price of said work, or to offer a different sum for his bid, and that he has entered into no arrangement, expressed or implied, to induce others not to bid, or do any by-bidding; that his bid is bona fide, and that he has not gone to any furnisher of supplies, and attempted to get such person, or company, to only furnish the material to him, or, if furnished any other bidder, that the material shall be at a higher rate; and, if during the progress of the work, or any time before it is paid for, it is ascertained that such contractor has violated the letter or spirit of this ordinance, he shall forfeit all right to compensation for any work done; and a reward of one hundred (\$100.00) dollars is offered any informer, who shall furnish the evidence of any collusion or other combination between bidder or contractors for City work sufficient to establish the fact, and by which evidence the fact of collusion or combination is established to the satisfaction of the Mayor and General Council.

Sec. 833. No Contractor to Employ Convict Labor—No Material to be Used, the Product of Convict Labor.—All contracts made by the City of Atlanta for public improvement shall expressly stipulate that the contractor shall not employ convict labor in the prosecution of the work, and shall not use goods or material prepared or manufactured, in part or in whole, by convict labor, in the work.

Sec. 834. Every Contract Understood to Contain Above Provision.—Every contract made by the City of Atlanta for public improvement shall be construed with reference to the foregoing provision, and shall be understood as embracing its provisions, whether expressly written in the contract or not.

Sec. 835. Penalty for Violation of This Provision.—Any officer or agent of the City of Atlanta, who shall prepare, or accept, upon the part of the City any contract not embracing the preceding provisions, or any contractor, or agent of a contractor, accepting a contract from the City not embracing said provisions, and for each day's operation under such contract, shall be fined or imprisoned, or both, at the discretion of the Recorder.

Sec. 836. City Will Not Pay for Convict Labor or Material—City May Use Convicts on Streets.—The City shall not pay for convict labor, or convict material, used in the prosecution of the work of public improvement done under contract; provided that nothing herein contained shall be construed as prohibiting the City of Atlanta from using either the convicts from the Recorder's Court, or from the other Courts of Fulton County in building or working upon the streets of the City.

Sec. 837. Hexagon Tile Blocks—Sheet Cement—When Used—Except, Etc.—It shall be unlawful to construct and pave any sidewalk in and along streets, whereon asphalt, vitrified brick, wooden blocks and bitulithic material has been laid, with any other material than pavements composed of hexagon tile blocks or sheet cement, except along the business portions of said streets, and in and along said portions the sidewalks along said street shall be paved with flagstones the full width of the sidewalk, or hexagon tile blocks, or sheet cement.

Sec. 838. Chief of Construction to See that Above Provision Is Enforced.—The Chief of Construction shall be required to see that repairs of sidewalks along streets paved with asphalt shall be constructed of material, as above provided, so that uniformity shall be finally secured in the pavement of said sidewalks.

Sec. 839. Chief of Construction to Inspect Sidewalks along Streets Paved with Asphalt—Require Repairs of Specified Material.—The Chief of Construction is hereby instructed to inspect the sidewalks along streets paved with asphalt, and see that the sidewalks thereon are in a safe and suitable condition for public use and travel, and, where he finds pavements on said sidewalks unsafe and unsuitable for public travel, to promptly condemn same, and require the repairs to be made of material as herein provided.

CHAPTER XXXVIII

CLERK OF COUNCIL.

Sec. 840. Clerk of the City Council—How Elected—Take Oath—Give Bond—Duties.—The Clerk of the City Council of Atlanta shall, before he enters on the duties of his office, take the usual oath, give bond with approved guaranty or fidelity company as security, in such sums as the Mayor and Council shall determine. The Clerk shall attend all meetings of the General Council and Aldermen, and shall keep a fair and correct record of the proceedings of the same, and shall pay all moneys received by him to the City Tax Collector at least once a day.

Sec. 841. He Shall Issue all Licenses, Orders, Notices, Etc.—The Clerk shall issue all licenses, as hereafter pointed out, and all orders, summonses, notices, or other instruments, which may be required of him by the Mayor and General Council.

Sec. 842. Books to be Kept by the Clerk of City Council.—The Clerk shall keep the following books and accounts:

1. A book or rough sheet of minutes.
2. A book of neat and accurate minutes.
3. A book for recording all licenses issued.
4. An ordinance book.
5. A book of charges, in which all cash items shall be entered as coming into the hands of said Clerk; also an account of all moneys paid to the City Treasurer, which book shall be so prepared and entries therein so made, that at the end of the year, he may readily determine how much has been appropriated by the City for streets and sewers, and how much has been collected from the citizens for such work.
6. A book, in which he shall register the names, and places of business, and date of license, of each person, firm, company, or corporation doing or carrying on any business, calling, trade, or profession in said City.

7. He shall keep a substantial book, in which he shall have recorded all petitions for street work, and all waivers of damage on account of street work, after which the originals shall be safely filed and kept by him. Said Clerk shall make a minute in said record book of the time, amount, and the name of the person to whom paid, of all payments by said City on account of claims for personal injury, or injury to property, real or personal. Said record shall be well indexed, so that the matters and things therein contained can be readily found.
8. A register, in which he shall record the name and place of business, and date and number of license of each person, firm, company or corporation, engaged in the liquor business in the City of Atlanta.
9. A register, in which he shall record the name and address, the date and number of license of each person, firm, company or corporation, operating a dray or hack in the city of Atlanta.
10. A book showing in detail the commission and insurance premium returns made to the City.
11. A separate *fi fa.* docket each for business license *fi fas.*, for delinquent given in tax *fi fas.*, for street and defaulters' personalty unreturned *fi fas.*, and for street improvement *fi fas.*
12. A book, in which he shall register the deeds made to the City at Marshal's sales.
13. A book, in which he shall keep a record of lots in Oakland Cemetery.

Sec. 843. Business Licenses—How Issued—Collected—Numbered—Returned, Etc.—All licenses for business and commission returns, etc., shall be issued by the City Clerk, based on the schedule of charges for business set forth in the tax ordinance each year. These licenses and commission returns, etc., shall have two stubs, which shall be filled in by the Clerk, with the name, business, amounts, etc., as the license, etc., written by him shall show, and he shall certify the same on the license and commission returns, etc.; he shall deliver to the Tax Collector the license or commission returns, etc., and one of the stubs so written, retaining the other stub, from which to make up his accounts. The Tax Collector, having been relieved from duty in the Assessors' Office, shall collect the

amount of the license, commission returns, etc., so issued by the City Clerk, retaining the stub, and charge up same in a book kept for that purpose, and shall report to the Comptroller on the same day all such licenses or commission returns, etc., collected by him, accompanied with the stubs so turned over to him by the City Clerk, to be verified by him. The stubs of license and commission returns, etc., shall bear the same number, date, etc., so as to be readily identified as triplicates. The General Business Licenses shall be numbered annually from 1 to 15,000; the Dray and Hack Licenses from 15,001 to 20,000; Commission returns, etc., 20,001 to 25,000. The City Clerk shall make each day a detailed statement to the Comptroller of all the licenses and commission returns, etc., issued by him, showing the number, date, name, business, and amount, which must correspond with the licenses, etc. turned over by him to the Tax Collector. The City Clerk must also make monthly statements of same to the Comptroller. The Tax Collector shall turn over daily to the Treasurer the sum collected by him for licenses, commission returns, etc., taking his receipt for same, which they shall report to the Comptroller, and he shall credit the one and debit the other.

Sec. 844. Compensation of Clerk of Council.—The Clerk of Council may receive for his services such salary, per annum, payable monthly, without perquisites, as shall have been fixed by the Mayor and General Council the year preceding his election, and shall do and perform all such duties as are now, or may hereafter be, required by the law and ordinances of the City of Atlanta.

Sec. 845. Fees Which May be Demanded by Clerk of City Council.—The Clerk of the City Council of the City of Atlanta shall be entitled to demand and receive fees, unless he receives a salary in lieu of the same, or the General Council shall have otherwise provided:

For each case before Recorder, where fine is collected	\$0.75
For each fi fa., which is collected . . . . .	.50
For issuing General Business Licenses, each . . . . .	.25
For issuing dray and hack licenses, each . . . . .	.25

For other services such fees as heretofore fixed by ordinance.

Sec. 846. Compensation—When Fixed.—Whether the Clerk shall receive fees or salary, the same shall be fixed prior to his election, and shall not be changed during his term of office.

Sec. 847. Shall Have and Use an Official Seal—Clerk or Deputies Affix to Documents Certified to.—The Clerk of Council of the City of Atlanta shall have and use an official seal, which shall be affixed to all documents certified to by him, or any one of his deputies, acting in his stead, under and in accordance with authority delegated by the Charter and Ordinances of said City.

Sec. 848. Form of Seal of Clerk of Council.—The form of the official seal of said Clerk of Council shall be a circle of one and seven-eighths (1 $\frac{7}{8}$) inches in diameter. In the space between the outer circumference, and an inner circle on the seal there shall be the words, "City of Atlanta, Georgia"; and within said inner circle there shall be the words "Seal of Clerk of Council."

Sec. 849. Clerk Shall Copy Ordinances—Transmit to Heads of Departments Charged with Their Enforcement—If Penalty Provided, Also Transmit Copy to Recorder.—It shall be the duty of the Clerk of Council to make or cause to be made copies of all ordinances hereafter adopted, except ordinances for construction of sewers, or for work of public improvement, and all amendments to existing ordinances, that may be hereafter adopted and approved, and within five days from the approval thereof by the Mayor, and to properly certify and transmit the same to the head of the department charged with the enforcement of such ordinance or amended ordinance, and, when such ordinance provides a penalty for the violation thereof, a copy shall be served upon the City Recorder in the manner above provided.

Sec. 850. Heads of Departments Communicate Them to Employees—Instruct Their Observance and Enforcement—File Clerk's Copies.—It shall be the duty of the head of such department to communicate to the men and employees of such departments the provisions of such ordinance or amended ordinance, and require the observance and enforcement thereof. The copies of ordinances or amendments to ordinances furnished and served as aforesaid shall be filed and preserved by the parties, upon

whom they are served, and in such way and manner as to be convenient for ready reference, when needed.

Sec. 851. Ordinances, when Introduced, to be Copied and Sent to Aldermen and Councilmen.—Copies of all ordinances of a general nature introduced by any member of the General Council shall be furnished by the Clerk of Council to each member of the General Council prior to the meeting to which report thereon is made by committee or at which action is had by the General Council without report, provided that the provisions of this ordinance shall not apply to ordinances adopted at the same meeting at which same are introduced by the requisite two-thirds vote, and, provided further, that the provisions of this ordinance shall not apply to ordinances which are referred or laid on the table without reference, with direction that copies thereof shall not be furnished members of the General Council provided such direction shall be adopted by a two-thirds vote of the members of the General Council present.

Sec. 852. Copies to Departments—Reports—Resolutions—Ordinances.—It is hereby made the duty of the Clerk of Council to notify any department of the City of Atlanta of the passage of any committee reports, resolutions, or ordinances by the Council, affecting such departments, and also to furnish them copies of same.

CHAPTER XXXIX.

CLUBS.

Sec. 853. No Clubs Except by Permission of Mayor and General Council.—It shall be unlawful for any person, firm or corporation to have, own, maintain, or operate any social club charging membership fees, having club houses, club rooms, parlors, or other general places of meeting in the City of Atlanta, except by permission of the Mayor and General Council.

Sec. 854. Shall Make Application Annually for Privilege of Operating Club—Contents of Application—Information.—Each person, firm or corporation desiring to operate such Club, shall yearly make application to the Mayor and General Council to do so, giving the name of the Club, the names of its President and Secretary, and the name of the officer or manager, who will be in charge of its club house, club rooms, parlors, or other places of meeting, and its location, and shall also give the number of members belonging to said Club, and the amount of the entrance fee paid by each member of said Club.

Sec. 855. Shall Exhibit Roll of Membership, When Required.—Said club making application shall, when required, exhibit the roll of membership of such Club, and shall at all times keep said roll of membership in a convenient place, and where the same can, at any time, be inspected by the officers of said City.

Sec. 856. Penalty for Violation.—All persons, firms or corporations violating the provisions of this Chapter shall on conviction before the Recorder pay a fine of not more than \$100.00, or be imprisoned on the public works of said City not more than thirty days, one or both in the discretion of the Recorder.

Sec. 857. Shall Keep Open Doors—Open to Inspection—By Whom.—All organizations operated as clubs, social or otherwise, where the members meet, and are served with drinks, lunches, etc. shall keep their doors open and allow the members

of the Department of Police to enter and inspect same to see if any of the ordinances of the City are violated herein.

Sec. 858. Penalty for Violation of Above Section.—Any person, firm or corporation violating the provisions of this chapter and keeping the doors to such places closed, or hindering entrance thereto, during the hours such club rooms are open, shall, upon conviction in the Recorder's Court be fined not exceeding \$100.00 and imprisoned in the stockade not exceeding 30 days, one or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER XL.

COMMITTEES APPOINTED BY MAYOR FROM THE
GENERAL COUNCIL.

Sec. 859. Appointment of Standing Committees by Mayor—For What Purpose—List of Committees.—The Mayor shall appoint from the members of the General Council the following Standing Committees for the preparing and considering of business for the action of Council, to whom may be referred such business as the General Council may deem appropriate, viz.:

1. Committee on Finance—each Ward to be represented thereon by either its Alderman or Councilman.
2. Committee on Ordinances and Legislation—five members.
3. Committee on Streets and Sidewalks—ten members, one from each Ward.
4. Committee on Electric and Other Railroads—five members.
5. Committee on Relief.
6. Committee on Fire Department.
7. Committee on Police—five members.
8. Committee on Cemetery.
9. Committee on Electric Lights, Telegraphs, and Telephones—five members.
10. Committee on Public Buildings and Grounds.
11. Committee on Tax—five members.
12. Committee on Public Schools.
13. Committee on Printing.
14. Committee on Sewers and Drains.
15. Committee on Water Works.
16. Committee on Contested Claims and Litigation.
17. Committee on Parks.
18. Committee on Sanitary Affairs.
19. Committee on Salaries.
20. Committee on Freight Rates and Transportation—five members.
21. Committee on Bridges—three members—and this Com-

mittee shall have charge of the execution of the work of building and repairing bridges.

22. Committee on Prisons—which shall be charged with the duty of investigating the condition of the city prisons, and reporting thereon, with such recommendations as to changes, reform, etc., as they may deem expedient.

23. Committee on Public Improvements to be composed of four councilmen, one alderman and chairman of Street Committee.

24. Committee on Minutes—three members, of whom at least two shall read the minutes of the Council after each regular or special meeting, before the next regular meeting of the General Council.

25. Committee on Insurance—five members—places all the City insurance.

26. Committee on Library.

27. Board of Firemasters.

28. Committee on Auditorium and Conventions, five members—in charge of auditorium, under direction of Mayor and General Council—likewise, employs necessary help; likewise, supervises entertainments and conventions therein and secures conventions; supervises matters relating thereto as other committees supervise their departments.

29. Committee on Hospitals and Charities.

Sec. 860. Reports of Committees to be Signed by Members Thereof.—Each member of the different Standing Committees is hereby required to sign his name in person to all reports of said Committee to the General Council.

Sec. 861. In Case of Absence, Chairman so Reports.—In case of the absence of any member of the Committee so reporting, it shall be so stated, when the Chairman makes his report.

Sec. 862. Location of City Telephones—Under Direction of Committee on Electric Lights, Telegraphs and Telephones.—The location and distribution of telephones to be furnished the several departments of the Government of the City of Atlanta by the Southern Bell Telephone Company, or any other Company on account of the City of Atlanta, is hereby placed under the supervision of the Committee of the General Council on Electric Lights, Telegraphs and Telephones, subject to the final action by the Mayor and General Council, when deemed necessary.

Sec. 863. Auditorium-Armory Committee.—The Committee on Auditorium and Conventions is hereby created. Said Committee shall have general charge and supervision of the control, care, maintenance and uses of the Auditorium-Armory, subject to the Mayor and General Council, and the express ordinances relative thereto.

Sec. 864. Defacing Auditorium.—It shall be unlawful for any person, firm or corporation to drive any nails, tacks or other thing into any portion of said building or to change the surface of the walls or finish thereof, or to in any way change, mark, alter or repair any portion of said building, or cause same to be done, without the express consent in each instance of said Committee.

Any person, firm or corporation violating this section shall, upon conviction in the Recorder's Court, be subject to a fine of not exceeding fifty (\$50.00) dollars, or serve upon the public works 30 days, or be confined in the City prison, 30 days, any or all in the discretion of the Recorder.

Sec. 865. National Guard Quarters.—All National Guard organizations located in the City of Atlanta shall be given quarters in said building, and shall occupy such portions of same as are designated for their use upon the original plans of Morgan & Dillon, Architects. The division of space in said National Guard organizations within the limits so designated shall be assigned by the senior officer of the line located in Atlanta. The National Guard organizations in the City of Atlanta shall have the use of the large and small auditorium when same are not otherwise in use, under the direction of said Committee.

No horses shall be permanently stabled in the basement of said Auditorium-Armory.

Each National Guard organization shall be responsible for the proper care and protection of the property assigned to it, and upon an improper use thereof being made plain to the Mayor and General Council the use and occupancy of said space and said building may be denied to such organization.

Sec. 866. Committee on Insurance—Five Members.—A Committee is established to be known as "Committee on Insurance," to be appointed at the same time that other Standing Commit-

tees are appointed, to-wit: at the first meeting of the Mayor and General Council of each year and said Committee shall be composed of five members of the General Council.

Sec. 867. Distributes Insurance Equally among Reputable Agents.—The City Comptroller shall furnish the said Committee with a statement showing in detail every policy of every kind issued to and held by the City and any of its departments, names of agents, names of companies, amounts insured, expirations, recaptulations showing the entire amount held by each agent, etc. The policies now held by the City in each department shall not be cancelled but shall be retained until expiration and upon expiration the policies shall be distributed to the agents of the insurance companies of the City equally, or as nearly as it is possible to do so, among the reputable agents of Atlanta, provided they are citizens and tax payers.

Sec. 868. Change Policies, if Necessary—Vacancies—Fair Treatment.—Said Committee shall keep informed as to the standing of the different companies, and, in case of doubt as to their solvency shall promptly make such changes as will protect the City's interest, and it shall take such other steps to secure fair treatment to the City in the way of charges and protection, and, in case of vacancy of building shall immediately secure permit therefor and otherwise act as a careful individual would to secure protection to property at all times.

CHAPTER XLI.

COMPTROLLER.—APPROPRIATIONS AND
EXPENDITURES.

Sec. 869. City Comptroller—How Elected.—The City Comptroller shall be elected by the qualified voters of the City at the same time the other officials are so elected.

Sec. 870. Term of Office—Removal for Cause.—The term of office of the City Comptroller shall be three years (charter provision), and until his successor is elected and qualified, unless sooner removed by the Mayor and General Council for cause.

Sec. 871. Compensation—Shall Subscribe Oath of Office—Give Bond.—The City Comptroller shall be paid a salary to be fixed by the Mayor and General Council the year next preceding his election, and which shall not be changed during his term of office. He shall qualify by taking an oath for the faithful performance of his duties, and by giving a bond to said City in the sum of ten thousand dollars with good securities, subject to approval by the Mayor, conditioned for the faithful performance of his duties.

Sec. 872. He Shall Keep a General Set of Books, Covering All Receipts and Disbursements by the City.—It shall be the duty of the City Comptroller to open and keep a general set of books for said City, and to keep regular and correct accounts showing the financial transactions of the City, which shall embrace an account of all receipts and disbursements of money by said City, and separately and under proper heads each cause or source of receipt, of disbursement, accounts with all persons and all City officers, who have money transactions with said City.

Sec. 873. Fi Fas to be Entered—Charged to the Officer to Whom They Are Delivered.—No fi fa issued by the Clerk of Council shall be valid and of force until the same has been entered upon the books of the Comptroller, and charged to the officer to whom said fi fa is delivered.

Sec. 874. Comptroller May Require Evidence as to Justice of Claim.—Whenever a warrant or claim shall be presented to the City Comptroller, he shall have power to require evidence that the amount is justly due, and for that purpose may summon before him any officer, agent, or employee of any department of said City, or any other person, and examine him upon oath or affirmation relative to said warrant or claim.

Sec. 875. Warrants for Damages—Cross Claims Shall be Collected First Before Delivery.—Hereafter no warrants for money passed in favor of any person, except in cases of Court verdicts or judgments, shall be delivered to such parties until all past due demands in favor of the City of Atlanta against the person or persons, in favor of whom such warrants are passed, have been satisfied. It is hereby made the duty of the City Comptroller to enforce this ordinance, and to require settlement in case of cross demands as above specified.

Sec. 876. Stationery for City Departments—How Obtained—Requirements.—Whenever any department of the City Government shall require for its use books, stationery or printing, amounting to ten dollars and upwards, such department shall make application to the Comptroller for the same, with copies of what is wanted, and he shall ask for bids for the same, said bids to be opened and contracts awarded by the Committee on Printing.

Sec. 877. All Stamps Must Be Bought from the Atlanta Postoffice—All City Mail to Go Through Atlanta Postoffice.—It shall be unlawful for any employee or official of said City whether receiving any emolument or not, to, directly or indirectly, buy any stamps to be used for the official business of the City from other than the Atlanta postoffice, and he shall not mail any of the mail matter of the City of Atlanta or any department or office thereof excepting in the postoffice of the City of Atlanta, or the mail boxes or other receptacles of the Postoffice department of the City of Atlanta, and the Comptroller of the City of Atlanta shall not draw any check or draft for stamps excepting in favor of the Postmaster of the City of Atlanta.

Sec. 878. Supplies for Various Departments of City Government—Through Whom and How Contracted For.—In the month

of January, each year, every Department of the City Government shall make out a detailed list of every article, which may be needed for general use in that department, as near as can be estimated, during the year, and hand to the City Comptroller, who shall ask for bids for same from houses in the City, when practicable, dealing in the lines of goods needed, to be delivered during the year as may be needed for use from time to time. These bids shall be directed to the Finance Committee of Council, and they may award contracts to the best bidders in their discretion, reserving the right to reject any and all bids. The contracts having been awarded as above provided for, then the heads of departments shall make requisition on the City Comptroller for such articles as they may need from time to time during the year, who shall supply them by orders on the contractors. When contracts can not be awarded for the entire year on account of fluctuations in prices or nature of articles wanted, the heads of the departments shall make requisitions on the Comptroller for such articles, who shall ask for bids for same, said bids to be opened by the Committee having supervision of the department so making requisition, and contracts may be awarded to the best bidder in such cases. All bids from contractors for supplies furnished the City must be accompanied with the order of the Comptroller for same, and he must see that the goods have been supplied at the price and the quality contracted for.

Sec. 879. Lists of Burnable Property of City Furnished Comptroller.—It shall be the duty of the several departments of the City Government to file with the City Comptroller a statement showing the value of burnable property, or property liable to destruction by fire, which may be under the control of their respective departments. These statements shall also show the amount of fire insurance carried on each piece of property, the names of the Companies, the terms and expiration of each policy, and the rates of premiums paid thereon. Such statements shall be made and filed with the Comptroller on the first day of July, October, January, and April of each year following the adoption of this ordinance.

Sec. 880. Policies of Insurance—With Whom Filed.—On and after the first day of July, 1893, all policies of insurance upon property belonging to the City shall be filed with the Comptroller, where they may be examined from time to time by the

Mayor and Committee on Public Buildings and Grounds, and it is hereby made the duty of said Committee to see that each and every policy is properly written, so as to avoid as far as possible any trouble in case of loss.

Sec. 881. Record of Covenants—Book for.—There shall be kept in the office of the City Comptroller a book to be known as the "Record of Covenants." It shall be the duty of the Comptroller to record in this book all contracts taken by the City of Atlanta, or for the performance and maintenance of any work of any sort done by contract for said City.

Sec. 882. Rents Due City—How Collected.—Rents, etc., due the City and unprovided for in the foregoing, shall be paid to the City Tax Collector, who is empowered for receipt of same, and shall deposit same with Treasurer, and be credited therefor, when he presents certificate of such deposit to the Comptroller. The receipt shall originate in the Clerk's office under the coupon system.

Sec. 883. Proceeds of Sales of Public Property to be Paid through Tax Collector—Report Payment to Comptroller.—It shall be the duty of every department and every officer of the City of Atlanta, who shall sell any of the public property, real or personal, belonging to said City, to pay the proceeds of such sale to the City Tax Collector, and report such payment to the City Comptroller, as required by the ordinance defining the duties of the City Comptroller to pay such money into the City Treasury, subject to appropriation and distribution by the Mayor and General Council.

Sec. 884. Penalty for Violation.—Any officer of any department of the City Government of Atlanta, who shall violate the foregoing section, shall, upon conviction of such violation in the Recorder's Court of the City of Atlanta, be subject to punishment by fine not exceeding thirty days, either or both of such punishments, in the discretion of the Court.

Sec. 885. Creation of Departments—Departments Listed—Appropriations to be Made for Each Department, But These Departments or Heads of Appropriation are Subject to Change.—In order to keep correct accounts, and ascertain the exact

amounts expended under different heads in the City Government, the following departments are hereby created, and all warrants upon the Treasurer shall be drawn upon the fund appropriated for that department creating the expenditure; and unless it shall be so stated upon its face, shall not be paid by him.

DEPARTMENTS OF APPROPRIATION AND EXPENDITURES.

1. Department of Mayor.
2. Department of Council.
3. Department of City Hall.
4. Department of Finance.
5. Department of Police.
6. Department of Tax.
7. Department of Fire.
8. Department of Cemetery.
9. Department of Sewers.
10. Department of Streets.
12. Department of Chief of Construction.
13. Department of Waterworks.
14. Department of Street Lights.
15. Department of Law.
16. Department of Parks.
17. Department of Relief.
18. Department of Public Schools.
19. Department of Bridges.
20. Department of City Comptroller.
21. Department of Sanitary.
22. Department of Contingent.

Sec. 886. Bills Made out in Duplicate—Approved by Whom Warrants Drawn—How Paid.—All bills made out against the City of Atlanta for payment shall be made in duplicate upon bill-heads in the department to which it relates, and shall be approved by the official head of that department, the Chairman of the Committee, who has supervision of the same, and the City Comptroller. The Mayor or Mayor pro-tem., having satisfied himself of the correctness of the account, shall draw a warrant upon the City Treasurer for the amount of the same, when he shall require the duplicate bill and stub of warrant to be signed by the person obtaining payment. The City Comptroller shall

then countersign the warrant, and require the original account to be receipted, which he shall file away in his office for reference. The City Treasurer is then authorized to pay the warrant.

Sec. 887. Boards Meet—How Often—Books of Departments and Comptroller to Harmonize—Boards Turn over Vouchers Immediately upon Approval.—In order to effectually carry into effect the foregoing section, the Boards and Departments of the City incurring the expenditure of money shall meet as often as may be necessary to carry out the intention of said Section, and the Department's Finance Committee and Comptroller shall decide when and how often to meet to comply therewith, in order to keep the books in the Comptroller's office, and those of the Boards and Departments in harmony. And, to further this intention, the Boards and Departments are hereby required to turn in to the Comptroller all vouchers passed on by them for payment immediately after such approval by them.

Sec. 888. Officers Shall Report Accounts Placed in Hands of Tax Collector—Make Daily, Monthly, and Annual Reports to Comptroller.—All officers reporting to the Comptroller bills or accounts that they have placed in the hands of the Tax Collector for collection shall, when their reports are checked up and corrected in the Comptroller's office, make the necessary changes on their books to conform to the corrected reports. They shall, also, in addition to making such daily reports, make monthly and annual reports to the Comptroller.

Sec. 889. All Supplies Obtained by Requisition on Comptroller.—All supplies for the Boards and Departments shall be obtained through requisitions on the Comptroller, in order to insure the purchase of same on competitive bids, and also that the requisition, after being filled, is attached to the voucher for payment and insure thereby that payment for same will be made only once.

Sec. 890. Comptroller May Supervise Pay-Rolls.—The Comptroller may supervise the pay-rolls of any Board or Department and have a representative to see that all names on pay-rolls are represented by the proper person, and that they are present and receive the amounts designated thereon for them.

Sec. 891. Comptroller May Appoint an Audit and Requisition Clerk—Duties—Salary.—To carry the provisions of this ordinance into effect, the Comptroller is hereby empowered to appoint, as he appoints other clerks in his office, an Audit and Requisition Clerk, who shall be under the control of said Comptroller, and the bond given the City of Atlanta by said Comptroller shall cover the acts of said Clerk. The salary of said Audit and Requisition Clerk shall be one hundred (\$100.00) dollars per month.

Sec. 892. All Moneys Collected under the Coupon System.—All moneys collected for the City of Atlanta by its officials shall be done under the system known as the "Coupon System of Collections," that is, that all bills for collection of the City's revenue shall be made out by the head of the department, in which they originate, said bills having two stubs attached, one stub to be retained, and the other stub and bill to be sent to the Tax Collector for collection.

Sec. 893. Shall Report Bills for Collection Same Day to Comptroller—to Whom Charged—How Receipted upon Payment.—The head of the department issuing the bill for collection shall on the same day report the fact to the City Comptroller with the number, name, and amount of said bill, which shall be charged to the Tax Collector by the Comptroller; said Tax Collector shall sign the receipt on payment of the bill, retaining the detached stub.

Sec. 894. Tax Collector Deposits Daily with City Treasurer—Reports Daily to Comptroller, with Duplicate Stubs, and Treasurer's Receipt.—The Tax Collector shall on the same day he receives the money for any bills so collected deposit it with the City Treasurer, taking duplicate receipts for same, and on the same day make his report of collections of said bills to the City Comptroller, accompanied by the duplicate receipt of the City Treasurer, together with the Coupons made by the heads of the departments issuing them, to be checked up and verified by the City Comptroller each day, provided, that in the Department of Waterworks the officials thereof are hereby authorized and directed to prepare a bill especially conforming to the needs of said department, with two stubs attached thereto, and the bills having the stubs attached shall be mailed or delivered by hand

on or before the 1st of each month to the last known address of the person against whom the bill is rendered. Such person, or his agent, shall on or before the 10th of each month present said bill to the City Tax Collector. The Department of Waterworks shall install at a window convenient to such City Tax Collector one or more employees who shall take such bill, detach the stub prepared by the Waterworks Department and transmit same to such Department and deliver the bill with stub to the Tax Collector's office, to such Tax Collector or his assistants, and thereafter the present plan of collection and reports shall be followed.

Sec. 895. City Clerk and Other Officers Named Governed by the Above Provisions.—The City Clerk, Chief of Police, Marshal, Secretary Water Commissioners, Tax Assessors, Clerk Board of Health, and all other officials of the City shall be governed by, and be subject to the provisions of this ordinance in reporting the bills issued and collections made by each of them, as required by the first section hereof, and all moneys collected by these officers shall be paid to the Tax Collector, who shall pay the same to the City Treasurer, provided that the Secretary of the Water Commissioners shall conform to the proviso in the preceding section wherever same conflicts with the provisions of this section.

Sec. 896. Statements Furnished by Comptroller—to Whom—How Often.—The Comptroller of the City shall furnish, at each regular meeting of the General Council, and to the Aldermanic Board, a statement of each voucher approved and each warrant drawn, and the consideration for it, and the fund on which it is drawn.

Sec. 897. Record of Officers' Fees to be Kept—by Whom Inspected.—The City Comptroller is required to keep a book of entries of all fees collected by City officers, and said books shall be subject to inspection by the Mayor and General Council.

Sec. 897(a). Boards, Officers and Departments Must File Statements of Estimated Cost of Maintaining Same—When—How Often.—The Board of Education, the Board of Health, the Board of Police Commissioners, the Board of Water Commissioners, the Board of Park Commissioners, the Chief of the Fire Department, and the Chief of Construction, shall each file with the Clerk of Council, to be transmitted by him to the Mayor and

General Council, a statement of the amount, as nearly as can be estimated, of maintaining their departments for the year. Said statement shall set forth the various objects of expenditure and specify the sum necessary for each of them. Each of the above named departments, by their proper officers, are hereby required to file statements of estimated expenditures with the Clerk of Council the last Mondays of April and December of each year.

Sec. 898. After Apportionments Made, Expenditures Must not Exceed.—After the apportionments to the various departments above named have been made by the Mayor and Council, the Board of Aldermen concurring, no bill of expenditure incurred, or authorized by any of said departments, in excess of the apportionment thus fixed, shall be paid.

Sec. 899. Record of Lost Checks—How Kept.—The Comptroller shall make and keep in a book, to be prepared for that purpose, a record of all City checks lost by the owners and renewed by the Council, with their dates, numbers, amounts, in whose favor issued, whether payable to order or bearer, for what purpose or on what account issued, and the dates and amounts of all credits on said checks, with the name of the owner at the time of the entry of the credit.

Sec. 900. Transcript of This Record—How Made—to Whom Furnished.—The said Comptroller shall make correct transcripts of such record, in a large fair hand, and furnish one to the Clerk, Treasurer, Marshal, and Tax Collector, to be posted conspicuously on or near their desks for convenience of reference. The description of each renewed check shall, immediately after its renewal, be added to the record and each of its transcripts.

Sec. 901.—Duty to Require System of Bookkeeping in all Departments.—The Comptroller shall have authority and it shall be his duty to require any or all Departments of the City of Atlanta to institute such system of bookkeeping as in his judgment may be proper and necessary to afford the most positive assurance of proper conduct in such Department, and which will show the exact operations of any or all such Departments.

Sec. 902. System Required—Now Used.—Said bookkeeping system, so instituted, shall be of the most approved order consist-

tent with the conditions of such departments and shall, in so far as possible, be an extension to such department of the system now in use in said Comptroller's office.

Sec. 903. Inventories—Reports—Times Required.—The Comptroller shall require, and it is hereby made the duty of each department, to make and keep continuous inventories of its property, both real and personal, and, at regular intervals, and at any other time when in his judgment it is necessary, make reports of same to the Comptroller, and shall make this property accounting one of the features of such bookkeeping system so introduced into any or all such departments.

Sec. 904. Income—Appropriation—Balance.—Such system of bookkeeping shall disclose at any time the exact status of the income from such department, if any, and the exact amount appropriated for the maintenance and support of such department and the amount expended and unexpended balance.

Sec. 905. Reports—When Called for.—The Comptroller shall have the right, and it is made his duty to call upon any or all departments at any time for a report on its condition or any matter connected with its property, income, appropriation or expenditures.

CHAPTER XLII.

COUNCIL CHAMBER—CITY SEAL—CITY COLORS.

Sec. 906. Council Chamber—Persons Excluded from Enclosure, Except Whom and When—City Marshal Enforces Same.—No person shall be admitted within the balustrade enclosing the seats of members, during any meeting of the General Council, except members of the body, City officials, and newspaper reporters engaged in reporting proceedings of the General Council, without this rule being first suspended, by unanimous consent, upon motion of some member of the body. It shall be the duty of the City Marshal to enforce this provision.

Sec. 907. Corporate Seal—Described—Where Kept—Affixed by Order of Mayor.—The coat of arms, or corporate seal, of Atlanta shall be as follows: It shall be of silver and the size of two and a quarter inches in diameter. The device on the front side shall be a picture of a fabled Phoenix, rising from its ashes, with the inscription "Resurgens 1847—1865" written, cut or engraved thereon, signifying the "rising, ever rising more brightly," and the date a charter was first granted the City and its rehabilitation after the destruction by the Federal army in 1864. The seal shall remain in the office of the City Clerk, and not be affixed to any instrument of writing except by order of the Mayor.

Sec. 908. Flags and Colors for the City of Atlanta.—The following shall be the forms, devices and colors of the Civic Flag, the City Ensign, and the Pennant of the City of Atlanta:—The colors in the several forms shall be yellow and blue of the hues or tints as expressed upon the pattern, and the exact copy of which is hereby directed to be placed on file in the office of the Clerk of Council, and displayed in public in the City Hall marked "Approved Colors for the City Flags of Atlanta."

CHAPTER XLIII.

COURTS AND TRIALS—CONVICTS.

Sec. 909. Terms of Recorder's Court—Recorder Presides—In His Absence Who Presides.—The Recorder, or in his absence, the Mayor, Mayor pro tem., or one member of Council, shall hold a Court at 8:30 o'clock A. M. and 2:30 o'clock P. M. each day, except Sunday, at the Recorder's Court Room, for the trial of persons charged with violating any of the laws or ordinances of the City of Atlanta. When for any cause the Recorder cannot attend and preside, it shall be the duty of the Chief of Police to notify the Mayor, who shall attend and preside during the absence of the Recorder; if the Mayor can not attend, then said Chief shall notify the Mayor pro tem.; if the Mayor pro tem. cannot attend, then the said Chief of Police shall prepare a roster of the names of the General Council, in alphabetical order, and notify them for said service as their names appear thereon until he can procure the attendance of one of them. This plan to be followed as often as necessary to provide for said Court, and, when the list is exhausted, then the said Chief will begin over, and exhaust the names as before.

Sec. 910. Summons and Trials—Rules—Rights of Accused—Counsel—Witnesses.—Any person, who is charged with an offense against any of the ordinances of the City of Atlanta, shall be informed by the summons in writing served on him of the nature of the cause of his accusation; shall have compulsory process for obtaining witnesses in his behalf; shall have a speedy trial before the Recorder, or in his absence the Mayor, Mayor pro tem., or one member of the General Council; shall be confronted with the witnesses against him, and have the privilege of cross-examination, as in the Superior Courts of the State of Georgia. The same rules as to examination of witnesses and the evidence adduced as obtain in said courts, as far as they are applicable to examining Courts, shall be applicable to cases before the Recorder's Court. The party accused shall have the privilege of defending himself, by Counsel or by himself, or both.

as to him shall seem proper. No one shall be condemned, fined, or punished without a chance of being heard in his defense. Officers of City, informers, and parties injured, shall be competent witnesses, when not on trial.

Sec. 911. Form of Summons—Issued by Clerk—Served by Chief, Officer, or Member of Police Force.—It shall be the duty of the Clerk of Council in all cases, where complaint is made, or information given of any violation of any of the laws and ordinances of said City (whether the party be confined in the guard-house or not), to issue a summons directed to the accused, requiring said offender to appear before the Recorder's Court, to answer said charge, which summons shall contain the offense and time and place of trial, bear test in the name of the Mayor, be signed officially by the Clerk, and directed to the Chief or other officer or member of the police force, to be executed, who shall execute the same by serving a copy upon the accused, or leaving it at his or her place of residence.

Sec. 912. Failure to Appear—Arrest and Dentention.—Any person summoned as aforesaid, who shall fail, neglect, or refuse to appear, or to render a satisfactory showing for such failure, neglect, or refusal to appear, and answer the charge specified, may be fined in a sum not exceeding one hundred dollars, and the cause continued to such time as the Court may direct, and the Court shall issue an order, requiring the Chief, or other member of the police force, to arrest said offender, and bring him or her before the Court to answer said contempt, and it shall be the duty of said Chief of Police to keep the offender in custody until he is brought before the Court, unless he gives bond for his appearance, as provided by law.

Sec. 913. Subpoenas of Witnesses—By Whom Issued—By Whom Served.—Whenever the attendance of any witness may be required before the Court to establish any fact, the Clerk shall issue a subpoena, directed to the witness, stating the time and place of trial, and the parties to the case, which shall bear test in the name of the Mayor, and be served as other summons by the Chief of Police, or other officer, or policeman.

Sec. 914. Clerk's Name, Printed or Stamped on Summons and Subpoena.—The name of the Clerk of Council required on

summons served on offenders to appear in Recorder's Court, and on subpoenas served on witnesses to appear therein, and wherever required on papers provided in this chapter, may be printed or stamped on such summons and subpoenas or other papers, as above provided, and, where done by authority of the Clerk of Council, same shall be a compliance with the terms of said ordinances and legal in all respects and shall have the same force and effect as if written thereon by the said clerk.

Sec. 915. Defaulting Witnesses—Proceeding Against—Failure to Appear—Penalty.—If any person so summoned as a witness shall fail, neglect, or refuse to attend said trial, or render at the time a sufficient excuse, in the judgment of the Court, said defaulting witness shall be liable to a fine of not exceeding fifty dollars; and, if said cause shall be continued on account of the witness' absence, the Court may issue attachment against said witness, requiring him to show cause, on the day appointed for trial, why he should not be further dealt with for contempt, and the Chief of Police shall, by virtue of said attachment, arrest, or cause to be arrested by some other officer or policeman, and confine said person, so as to have him, her, or them before the Recorder or other presiding officer in the Recorder's Court, at such time as he may appoint, for further hearing of the original complaint.

Sec. 916. Continuance in Discretion of the Court.—Where the ends of justice may require it, all cases may be continued. All continuances shall be addressed to the sound discretion of the Court, under the rules governing the Superior Courts of this State.

Sec. 917. Rules of Practice in Recorder's Court.—The City shall have the opening and conclusion of each case, unless the Defendant introduces no evidence; then he shall be entitled to the conclusion. The City shall announce first if it is ready for the trial; if not, it shall be held to as strict a showing for continuances as the Defendant. The rules of evidence shall be the same as in the Superior Courts, as far as applicable to the case on trial. All officers shall be legal witnesses, when not on trial.

Sec. 918. Rules Governing Recorder's Court.—The Recorder's Court shall be controlled by the rules of the Superior Courts,

as far as they are applicable to Recorder's Courts, and a sound construction of the charter and ordinances of the City.

Sec. 919. Punishment of Offenders.—All offenders against the ordinances and laws of said City shall be tried by the Recorder's Court, and said Court may impose such punishment as is provided by the laws and ordinances of said City for the offenses, of which said offenders may be found guilty.

Sec. 920. Probation Officer—Duties, etc.—The Recorder in all cases brought before him where the defendant therein appears to be a confirmed drunkard, or where there is disorderly conduct shown, connected with drunkenness, or the defendant is shown to be neglectful of his family, by reason of his drink habits or for other causes, or the defendant is shown to be an idler or loafer, or the defendant is shown to live on the earnings of his wife or children or other persons, the Recorder shall have the right to continue the case to some fixed day for further consideration and final determination and, pending such final decision the defendant shall be permitted to go on his own recognizance but his name, residence, business and such other information as may be desired shall be secured by the probation officer and a permanent record made thereof, and, if before the date set for hearing, it appears that such offenses have been repeated, the Recorder shall be notified thereof, and the entire information placed in his hands and the defendant shall be further notified of the time fixed for final hearing and to appear and abide the sentence. On the failure of the defendant to so appear and abide the sentence of the Court, he shall be dealt with as for a contempt of said Court, and subject to arrest not only to serve the sentence imposed in said case but for such additional sentence as the Recorder may impose, under existing ordinances, on account of said contempt. If pending such final date, the conduct of the defendant has been sober, industrious and commendable, the probation officer shall place a record thereof in the hands of the Recorder, and it shall be discretionary with the Recorder to further continue the case or to have said defendant appear, on the date named and abide the sentence imposed thereat. If the Recorder decides to further postpone the case the defendant shall be notified of the date and time and shall appear and abide the sentence at such postponed time, subject to be dealt with as for a contempt, as above provided. If the Recorder decides to post-

pone the case indefinitely, the defendant shall be so notified and shall not be required to appear unless the Recorder fixed a further time for a hearing or disposition of said case, when the defendant shall receive notice thereof and shall appear and abide the sentence of the court as above ordained.

Sec. 921. Board of Police Commissioners Designate Probation Officer.—The Board of Police Commissioners shall designate a member of the police force to perform the duties of a special Probation Officer and see that the provisions of this ordinance are executed. In addition to the police powers of said officer, he shall make personal investigation of each case, the conditions surrounding the individual and the family, the character (past and present) of such individual and family, habits, etc., as well as to make a close and constant investigation of the conduct of said defendant, pending the probation herein provided, and to see that the Recorder is informed of the conduct, habits, labor, etc., during said period. Such officer shall establish rules under which such defendants are required to report to him at stated intervals, but he shall not rely upon these reports entirely. He shall himself make personal investigations in such manner and as often as necessary, to keep advised of their conduct, habits, employment and condition. He shall keep an accurate record of such reports as may be made to him and such conditions as he may ascertain for himself or the information of the Recorder and as a matter of permanent record.

Sec. 922. Penalty, When Not Otherwise Provided.—For violation of any ordinance, or section of an ordinance, for which no particular penalty has been prescribed, the Court may impose, in its discretion, any fine not exceeding one hundred dollars and costs, or imprisonment not exceeding thirty days, in the calaboose, or on the public works of the City.

Sec. 923. Trial of Persons Implicated—When.—If on the trial of any case before the Recorder's Court it appears that any other person besides the one on trial has violated a by-law or ordinance of this City, he or she may then and there be tried, unless the case is put off for legal cause.

Sec. 924. Contempt of Court, While Sitting—Penalty.—Any person, who during the sitting of Police Court, or during a ses-

sion of the Council or General Council, or Board of Aldermen, shall be guilty of a contempt of Court, or of Council, or refuses to abide by any sentence or order of said Court or Council aforesaid, shall be fined in a sum not exceeding fifty dollars and costs or confinement in the stationhouse, or both, as shall seem expedient or proper under the circumstances.

Sec. 925. Collection of Fines—By Whom—How—Penalty for Failure to Pay.—The Clerk of Council may issue an execution instanter, where any fine is imposed by the Court, or Mayor and General Council, to be levied upon the goods, chattels, lands and tenements of the person or persons fined, if the sum is not immediately paid, which execution shall bear test in the name of the Mayor, and be signed officially by the Clerk, and be directed to the Marshal of the City of Atlanta; or the Court may, by order, compel any person fined, who shall fail or refuse to pay the fine, to work on the streets of said City, under the Commissioner of Public Works, or other person having control over said works.

Sec. 926. Work on Streets—Payment of Fines Enforced Thereby.—When any person is convicted of any offense against the laws and ordinances of the City, before the Recorder, or Mayor, or Mayor pro tem., or other presiding officer, it shall be discretionary with the Court to punish such offenses by ordering them to work on the streets or public works of the City, under the supervision of the proper officer; and payment of all fines not otherwise paid, may be enforced by work as aforesaid.

Sec. 927. Recorder Governed by the Same Rules as Mayor Holding Court.—Whenever a Recorder shall be elected by the Mayor and Council, he shall be governed and controlled by the foregoing sections of this Chapter in the same manner as the Mayor is or would be governed and controlled.

Sec. 928. City Marshal and Deputy Tax Collectors—Serve Summons Same as Policemen—Summons Legal and Binding.—The City Marshal and his Deputy Tax Collectors are hereby authorized and empowered to serve summons requiring persons to appear and answer before the Recorder's Court, the same as policemen are authorized, and such service shall be as legal and binding upon the party served as though he were served by a member of the police force.

Sec. 929. Cases Must Be Docketed in Correct Names of Accused.—It shall be unlawful for any policeman or other officer making arrest of a person for the violation of laws to enter the name of said person under a false or assumed name on the police docket, but in all cases the true name of the accused, and of the offense, shall be honestly docketed.

Sec. 930. No Person to be Tried under Feigned Name—Accused Must Be Present—Females May Be Excused in Discretion of the Court.—It shall be unlawful for any Court, under the jurisdiction of the City, to try a person under a feigned name, where he has reason to believe a fraud is being practiced on the Court, and on the public, by the use of a feigned or fictitious name, and the concealment of the true name; nor shall said Court entertain a plea of guilty, except the accused is personally present at a regular call of the docket in open Court; and the Court shall then inquire into all the circumstances, and impose such sentence as is proper. If the person arrested, or against whom the case is made, be a female, then, in such case, the Court may or may not require her personal attendance in open Court, as the ends of justice may demand, as the Court in its discretion may determine.

Sec. 931. Fine or Dismissal from Office Penalty for Violation. Any person violating the foregoing provisions, on conviction thereof in the Court presided over by the Recorder, Mayor, Mayor pro tem., or one member of the General Council, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both in the discretion of the Court and also be subject to dismissal from office.

Sec. 932. Recorder to Make Daily Reports to Comptroller—Chief of Police Collects Fines—Other Requirements upon Conviction in Court.—The Recorder shall make daily to the Comptroller a detailed report, with number, name, offense, date and amount of fine imposed, as appears upon his Court docket, to the Comptroller, who shall hold the Chief of Police responsible for their collection. The Chief shall obtain credit upon showing his receipt of deposit with the Tax Collector, when the fines are paid in money, or, if the fine has been remitted, upon certificate of Mayor and Recorder to that effect, or, if by labor on public works, or escape or otherwise, by certificate of Commissioner of Public Works and stockade keeper to that effect. These re-

ports to be made daily and monthly to the Comptroller, and deposits to be made daily with the Tax Collector.

Sec. 933. Board of Police Commissioners May Subpoena Witnesses in Trial of Any Officer Before Them.—The Board of Police Commissioners shall have full authority to subpoena witnesses to appear before them and testify in the trial of any police officer, or in the investigation of any matter by said Board.

Sec. 934. Chief of Police Summons Witnesses for Board—When.—It shall be the duty of the Chief of Police to summon, either in person or by deputy, any person, when directed by the said Board, to appear before said Board and testify, and he can designate any member of the police force to act as such deputy.

Sec. 935. Witness Summoned Failing to Appear—Penalty.—Any person being summoned, and failing to obey the same, shall be subject to be tried before the Recorder's Court, and, if adjudged guilty, shall be fined in a sum not exceeding fifty dollars, or be imprisoned not exceeding thirty days.

Sec. 936. Clerk of Recorder's Court—How and When Elected—Term—Duties.—The City Council of Atlanta shall, at its first meeting in March, 1907, and every two years thereafter, elect some suitable person to act as Clerk of the Recorder's Court, who shall perform all of the duties of the Clerk to the Recorder and such other duties as may be required of him by the Mayor and General Council, and shall serve during the will of the Council, or until his successor is elected, and subject to removal with or without cause.

Sec. 937. Clerk of Council Relieved from Liability—When.—The Clerk of Council is relieved from any liability by reason of the process of said Court being signed in his name, or the use of his name in said Court in any other manner.

Sec. 938. Overseer of Chaingang Keeps Record of Convicts—Makes Monthly Report to Mayor and General Council.—The officer in charge of the chaingang is required to keep a book with the name of each convict turned over to him from the Recorder's Court, the time, for which each convict is sentenced, when received and when discharged; also the number of days worked.

And said overseer shall make a monthly report to the Mayor and General Council, showing the facts above required to be kept of record.

Sec. 939. Regulations as to Stationhouse Keepers—Records Kept.—The stationhouse keepers shall keep a record in a book for that purpose, of all persons who fail to pay fines, and have to work out the same. The said stationhouse keepers shall take a receipt from the officer or person placed in charge of convicts of the Recorder's Court, and shall furnish each person with the number of days each convict is required to work. Persons becoming able to pay the fine imposed after having worked one or more days shall have their fine reduced according to the number of adys' work done.

Sec. 940. Convicts May in Discretion of Recorder be Required to Serve Sentence at Police Station.—The Recorder shall have authority, in sentencing those convicted in the Recorder's Court, and in passing sentences of imprisonment upon them, to require, in his discretion, when, from the age or sex of those convicted, or other circumstances surrounding those convicted, he shall deem it wise, to require such imprisonment to be served out by incarceration at the Police Station by labor in and about said station, in cleaning up and keeping same free of dirt, etc., or at some other public building, where said prisoners will be duly guarded, and opportunities for escape prevented.

Sec. 941. Matron for Female Prisoners at City Stockade—Under Committee on Prisons.—Some discreet woman shall be employed by the Committee on Prisons as a matron, and charged with the duty of caring for female prisoners incarcerated in the City Stockade, or at work upon public works. Said matron shall be employed at the pleasure of said Committee, without term and at such compensation as shall be appropriated therefor by the Mayor and General Council, and she shall have a special regard for the physical comfort, health and morals of said female prisoners.

Sec. 942. Clothing for Male and Female Prisoners—Regulations.—The Committee on Prisons shall purchase a supply of clothing, of suitable texture and color, and said clothing shall be worn by the male and female prisoners during their confinement

under sentence from the Recorder's Court. At the end of imprisonment the prison clothes shall be removed, and the personal effects of said prisoners shall be returned to them; provided, in the meantime, the prison officials shall thoroughly cleanse and fumigate the clothing of said prisoners. An apportionment shall be made for the above purposes annually in the regular apportionment sheet beginning with the year 1906.

Sec. 943. Chief of Construction Charged with Execution of.—The Chief of Construction shall have charge of the execution of preceding section, and shall provide rules, under which the personal effects and prison clothes shall be kept in a healthful and sanitary condition, and that the prisoners shall be provided with baths, at least twice a week, under the proper regulations.

Sec. 944. Prisoners Mutilating or Destroying Clothing or Effects—Penalty.—Any prisoner, who shall mutilate, injure, or destroy any of the clothing or effects provided by the City under this ordinance, or any other article of the City kept at the City Stockade, or tools, implements, or other articles provided for their employment; or any article kept in and around said stockade, shall be guilty of violating the peace, health, and good order of the said City, and, on conviction in the Recorder's Court, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, said penalties to be inflicted in the discretion of the said Recorder.

Sec. 945. General Supervision and Control of City Stockade by Committee on Prisons—Purchases of Supplies Approved by Them.—The general control and supervision of said City Stockade shall be placed in charge of the Committee on Prisons, and they shall pass upon all purchases of supplies and furnishings therefor, and the same shall only be paid for, when approved by said Committee.

Sec. 946. Recorder pro tem.—Term—Authority.—The office of the Recorder pro tem. is hereby created and said officer shall serve for the term of two years from the date of his election and his duties shall be as follows, to-wit: in the absence of the Recorder for any cause, the Recorder pro tem. shall fill the place of the Recorder and discharge all the duties of the Recorder and

shall be and is hereby given all the authority of the Recorder and his judgments, when delivered as Recorder pro tem., shall be respected and enforced as if rendered by the Recorder.

Sec. 947. Clerk of Recorder Eligible.—The Clerk of the Recorder is hereby made eligible to the position of Recorder pro tem., and, if selected therefor, he shall serve without any compensation additional to the salary now paid him as clerk as aforesaid.

Sec. 948. Election—Clerk May be Elected.—At the first meeting of the General Council, following the approval or final passage of this ordinance, a Recorder pro tem. shall be elected to serve for a term of two years, following his election, or until his successor shall have been elected and qualified, without salary. If the Clerk to Recorder is elected, he shall serve until the end of his present term, as now provided by law, and at the expiration of his present term, his authority as Recorder pro tem. shall cease and a new election shall be had to fill the vacancy created by the termination of his term of office as clerk aforesaid.

Sec. 949. Recorder pro tem. Serves, When—Council First Notified—How.—In the absence of the Recorder, the Clerk of the Recorder's Court shall notify the members of the General Council to act as Recorder pro tem. according as their names appear on the roster in alphabetical order, just as the present ordinance provides for service of aldermen and councilmen, but after the Clerk shall have notified one of said General Council to serve and he declines to serve or cannot serve, for any reason, then the Recorder pro tem. shall without further notice, act, in the absence of the Recorder, on the failure of such members of the General Council to serve. In the absence of the Recorder and on the failure of one member of the General Council to serve, when notified as above provided, and in the further absence of the Recorder pro tem., for any cause, the ordinance now existing whereby the Mayor, Mayor pro tem., alderman and councilman serve, when notified, in alphabetical order, shall be enforced and followed, provided, that when the Recorder pro tem. or Mayor or Mayor pro tem. or alderman or councilman serve under this or any ordinance of the City, they shall have all the powers vested by law in the Mayor and Recorder under the charter and ordinances of the city and their judgments shall be respected.

Sec. 950. Forfeitures of Bonds—Call of Case—Executions.—

Where an offender has been convicted in the Recorder's Court and has given a bond providing for his appearance and execution of the sentence thereof, under the ordinance of the City, and such offender shall fail to appear and abide such sentence, the Recorder shall sound said case in open court and the Clerk of the Recorder's Court, in case the principal fails to answer, shall call the name of the principal three times. If the principal still fails to answer, said Clerk shall thereupon call the name of the surety or sureties three times. If said surety responds, he shall be required to produce the body of his principal. If he fails to produce the body of his principal or if he fails to respond to his name, the Clerk shall thereupon enter this fact upon the bond. Notices shall thereupon be served upon said principal and sureties setting out the fact of the giving of said bond and of its forfeiture aforesaid, and calling upon said principal and sureties to show cause before said Recorder at a time named therein why judgment absolute should not be entered on said bond. This notice shall be served upon said principal and sureties personally or by leaving copies at their most notorious place of abode, by the Marshal or his Deputy at least fifteen days before the time set for hearing. At the time set for hearing, said principal or sureties shall appear in person or by attorney and make answer. The Recorder shall pass upon the sufficiency of the answer. If the answer is sufficient, said principal and sureties shall thereupon be discharged. If such answer is insufficient or if said principal and surety fail to appear and answer, the Recorder shall thereupon enter judgment upon said bond in favor of the City of Atlanta and against such principal and sureties for the full amount of the bond, dating same on the date of the judgment and signing same in his official character as Recorder.

* The Clerk of Council shall thereupon issue execution directed to the Marshal of the City requiring him to levy upon the lands, goods and chattels of said principal and sureties to satisfy said judgment and thereupon said Marshal shall make such levy and sell the property seized thereunder, conforming to the ordinances governing other levies and sales by the Marshal.

CHAPTER XLIV.

ELECTIONS FOR MAYOR, ALDERMEN, AND COUNCILMEN.

Sec. 951. Annual Municipal Election—When Held.—The regular annual municipal election of the City of Atlanta shall be held on the first Wednesday in December of each and every year, at which time there shall be elected an Alderman, or Aldermen, (if vacancy exists), and one Councilman from each of the wards.

Sec. 952. Mayor—When Elected.—At the next election held under the foregoing section of this Ordinance (1876), and biennially thereafter, there shall be elected a Mayor of said City.

Sec. 953. Voting Places for Municipal Elections—Location.—The voting places for the several wards in this City, from and after the passage of this ordinance, for all regular, special, or other municipal elections, or other elections held by or under the authority of this City, shall be as follows, or as near the places named below as suitable places for holding the same, can be obtained, to-wit:—

First Ward—Corner Mitchell and Forsyth Streets.

Second Ward—Chamber of Commerce Building, corner Pryor and Hunter Streets, also at or as near as practicable to the corner of Ridge Ave. and Pryor Street.

Third Ward—Corner East Hunter and Fraser Streets; also at or as near as practicable to the corner of East Fair Street and the Boulevard.

Fourth Ward—Corner Wheat and Jackson Streets.

Fifth Ward—Junction Marietta St., and Ponders Ave., or as near as practicable; also at or as near as practicable to the corner of Chestnut and Kennedy Sts.

Sixth Ward—Corner of Peachtree and James Sts.; also corner of Marietta Street and Tabernacle Place.

Seventh Ward—Corner Lee and Gordon Street; also at or as

near as practicable to the corner of Gordon St. and Lucile Ave.
Eighth Ward—Corner Peachtree and Tenth Streets.

Ninth Ward.—At or as near as practicable to corner of Waddell St. and Edgewood Ave.; also at or as near as practicable to corner of East Fair and Leggett Sts.

Tenth Ward—At or near Tucker & McMurray's store, on East Point Road; also at or as near as practicable to corner of Glenn and Humphries Sts.

Sec. 954. Polls—When Opened—When Closed. The polls shall be opened at each of the voting places at 7 o'clock A. M., and closed at 6 o'clock P. M. on the day of election.

Sec. 955. Managers Consolidate Vote—Clerk Reports to General Council.—The managers for the several wards shall meet in the office of the City Clerk on the day following the election at 12 o'clock M., and consolidate the votes cast for each office to be filled; and the Clerk of Council shall report this consolidated return to the next meeting of the Mayor and General Council, and it shall be entered on the minutes of that body, which shall declare the result of the election.

Sec. 956. Three Additional Managers for Second, Third, Fifth, Sixth, Seventh and Tenth Wards.—Three additional Managers shall be elected for the Second, Third, Fifth, Sixth, Seventh, Ninth and Tenth Wards, who are hereby empowered with all the authority and duties imposed by law and existing ordinances upon Commissioners or Managers of elections for the City of Atlanta.

Sec. 957. Where Wards Have Two Precincts, Precaution Used—How.—In places where more than one voting place or precinct is established, the Commissioners or Managers of elections shall take such precautions as may be necessary to prevent any voter from voting at one voting place or precinct after having voted at the other and each voter shall satisfy said Commissioners or Managers that he has not voted at the other voting place or precinct prior to offering his ballot.

Sec. 958. Where Wards Have Two Precincts—How Votes Counted—Compared.—In wards where more than one voting place or precinct is established, before counting the votes, the

Election Managers shall meet at one or the other voting precincts, as may be agreed upon by them beforehand, and compare the Registration Lists and lists of voters to see if any person has voted more than once, and, in all cases where they discover that a voter has voted more than one, one of his votes shall be excluded and not counted in the computation of the result, if both votes are for the same question—if the two votes differ, then both votes shall be excluded.

Sec. 959. Fourth Ward Three Additional Managers—Power of.—In addition to three Election Commissioners or Managers now elected for the Fourth Ward, three additional Election Commissioners or Managers shall be elected to serve in that ward and are hereby empowered with all the rights and duties of an Election Manager or Commissioner in and for said Ward. at all City Elections, as now provided by ordinances and laws governing such elections, and such additional Managers shall have authority to appoint three additional clerks and any and all other powers usual to the office of Election Manager in and for the City of Atlanta, and exercising such authority and power as Election Commissioners or Managers for the Fourth Ward.

CHAPTER XLV.

ELECTRICITY—ELECTRIC WIRES—BOARD OF ELECTRICAL CONTROL—SUPERINTENDENT OF ELECTRICAL AFFAIRS.

Sec. 960. Board—How Composed.—The Board of Electrical Control shall consist of the Chairman of the Committee on Electric Lights, Telephones and Telegraphs, City Engineer, Chief of Fire Department and the Chairman of the Committee on Electric and Other Railways, and the Chairman of the Committee on Electric Lights, Telegraph and Telephones of the General Council shall be the Chairman of the Board of Electrical Control.

Sec. 961. Duties of Board.—It shall be the duty of the Board of Electrical Control to have inspected all electrical construction, installations and equipments of whatever character, whether inside or outside of buildings, and shall have power to order removed, repaired or rebuilt any such construction, installation or equipment when in their judgment life or property will be better protected thereby; and it shall be their duty to see that all laws of force now or that may hereafter be enacted, governing electrical energy or construction, are strictly complied with.

Sec. 962. Examination for Licence.—Whenever any person, firm or corporation shall make application for a license to do electrical contracting in the City of Atlanta it shall be the duty of the Board of Electrical Control to pass on the ability and responsibility of such applicant for the purpose of determining whether he may be reasonably expected to satisfactorily complete any contracts that he may enter into with citizens of Atlanta.

In pursuance of the enforcement of this section the Board of Electrical Control is empowered to appoint an Examining Board to determine the ability and responsibility of applicants for license under this ordinance, but the appointment and maintenance of said Board shall not involve the City of Atlanta in any expense or liability.

The Board of Electrical Control shall adopt a uniform application blank which shall contain detailed information concerning

applicants' general and technical fitness for the license. Said blank shall contain, also, the report of the Examining Board in detail and shall be filed with the City Electrician, and he shall, when application is approved by the Board of Electrical Control, issue certificate to the City Clerk and license may then issue, and not before.

License may issue to individuals, firms, and corporations, when the person to be in charge of work for said person, firm, or corporation shall have passed examination, and only so long as he or a licensed electrician, under this ordinance, shall remain in charge of electrical work for such person, firm or corporation. Each person standing the examination required to be held by the Board of Electrical Control, under the terms of this ordinance, shall, before taking such examination, pay to the City Tax Collector the sum of six dollars each, and this sum shall be passed to the credit of the Board of Electrical Control, and it is hereby specifically apportioned to said Board, and shall be paid over to the examining committee of said Board, in equal sums, as a fee or salary for the work done by the said Committee of said Board in holding said examination.

Sec. 963. Superintendent of Electrical Affairs.—At the first meeting in October of each election year the City Council shall elect a competent man who shall be known as the Superintendent of Electrical Affairs, his term of office shall be two years, he shall receive such a salary as may be fixed by ordinance, and shall be subject to the orders of the Board of Electrical Control. (Changed to election by the people under Charter amendment.)

Sec. 964. Duties.—It shall be the duty of the Superintendent of Electrical Affairs, under the Board of Electrical control, to regulate and determine the placing of wires or other appliances for electric light, heat or power in the City of Atlanta and to cause all such wires or appliances to be so placed, constructed and guarded as not to cause fires or accidents endangering life or property.

Sec. 965. Right of Entrance.—The Superintendent of Electrical Affairs shall have the right in the discharge of his duties, to enter any building, man-hole, or sub-way, or to climb any pole,

for the purpose of examining and testing the electrical appliances therein or thereon contained. And for that purpose he shall be given prompt access to all buildings, public or private, and to all man-holes, sub-ways, or poles, on application to the individual or company owning or in charge of same.

Sec. 966. Poles—How Placed.—It shall be the duty of the Superintendent of Electrical Affairs to so direct the placing of poles and wires in the streets, alleys and public places of the City that the same shall cause as little obstruction as possible either to public travel on such thoroughfares or to the private use and enjoyment of adjacent property. It shall also be his duty, and he shall have authority to compel the removal of superfluous poles.

Sec. 967. Approval of Construction.—Upon the completion of the wiring of any building for light, heat or power, it shall be the duty of the company, firm or individual doing the same to notify the Superintendent of Electrical Affairs, who shall at once inspect such wiring and appliances and if approved by him, he shall issue a certificate of satisfactory inspection, which shall contain the date of such inspection, and an outline of the result of his examination, but no such certificate shall be issued, unless such electric wiring and appliances be in strict conformity to the rules and regulations prescribed or required by these ordinances, nor shall current be turned on such installation until said certificate be issued.

Sec. 968. Supervision.—The Superintendent of Electrical Affairs shall have general supervision of electric lights and shall require all concerns furnishing lights to the City to comply with the terms of their contract with the City. Policemen on duty at night shall carefully inspect all lights on their beats, and report the condition of the same to the Chief of Police, who shall keep a record of same and furnish a copy to said Superintendent when requested to do so.

Sec. 969. Record.—The Superintendent of Electrical Affairs shall keep a full and complete daily record of all work done, permits and licenses issued, examinations made and other official work performed, as required by this ordinance, and shall make a report to the Council through the Board of Electrical Control on or before January 1st of each year.

Sec. 970. Rules of National Board.—All electrical construction, all material and appliances used in connection with electrical work, and the operation of all electrical apparatus within the City of Atlanta shall conform to such special rules as may be adopted by the Board of Electrical Control and to the "Rules and Requirements of the National Board of Fire Underwriters" for the installation of wiring and apparatus for electric purposes as they are now established, or may hereafter be amended; and the said rules and regulations are hereby adopted and approved as a part of this ordinance.

Sec. 971. Alternations.—No alterations shall be made in the wiring of any building for light, heat or power, or increase in the load carried by such wires, nor shall any building be wired for electric lights, motors or heating devices without a written permit therefor from the Superintendent of Electrical Affairs.

Sec. 972. Covering Wires.—It shall be unlawful for any person, firm or corporation, their agents or employees, to cover or conceal any electric light or power wiring without first obtaining a certificate from the City Electrician certifying that the wiring has been approved.

Sec. 973. Tape on Joints.—It shall be unlawful for any person to place tape on or otherwise conceal an unsoldered joint on any electric light, heat or power circuit within any building or enclosure.

Sec. 974. Removal of Wires.—Whenever builders or persons engaged in repairing, painting, etc., find it necessary to remove wires from buildings in prosecuting their work, the owner of such building or the contractor engaged thereon shall serve the Superintendent of Electrical Affairs with written notice within twenty-four hours before such contemplated work is begun and said Superintendent of Electrical Affairs shall have authority in his discretion to direct the owners of such wires to remove the same.

Sec. 975. Cut Off Current.—In any case of failure to comply with these ordinances the Superintendent of Electrical Affairs shall have authority, after due notice, to cut out lights or current in any locality concerned and to enforce discontinuance of the same until said requirements are complied with.

Sec. 976. Conduits.—All electric light, heat or power wires installed in buildings within the Fire Limits shall be installed in approved steel or iron conduits and such work shall be made to conform in every respect to the rules governing conduit wiring; no permits shall be issued under any circumstances for electrical wiring within the said "Fire Limits" without the use of metal conduits.

Sec. 977. Penalty.—Any person, firm or company who shall violate any of the provisions of this chapter for which no specific penalty has been provided, or shall fail, neglect or refuse to comply with any order of the Superintendent of Electrical Affairs given in pursuance of and by the authority of these ordinances and rules embraced therein, shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars for each offense, or confined in City Stockade or worked upon the streets of the City, not exceeding 60 days, either or all, in the discretion of the Recorder.

Sec. 978. Contractor's License.—Every person, firm or corporation desiring to engage in the business of electrical construction and of the installation of wiring and apparatus for electric light, heat or power in the City of Atlanta, shall, before doing so, obtain a license therefor, the fee for which shall be twenty-five dollars and which shall be paid into the Treasury of the City before such license shall become effective. Said license shall be issued by the City Clerk after the presentation of certificate from the Board of Electrical Control and payment of the fee before mentioned. Any person, firm or corporation found doing electrical work in the city of Atlanta without such license shall be subject to a fine of one hundred dollars or imprisonment for thirty days or both. Licenses granted under this ordinance shall be for one year, shall not be transferable and the full fee shall be charged for any year or fraction thereof. Except that in establishments or buildings having permanently in their employ a man of such mechanical and electrical knowledge and experience as to be able to make electrical installations for light, heat and power, such employee may take the examination hereinbefore provided and, if the applicant shall prove to the Board his ability to properly install such work, a license shall be granted him to do electrical work only in the establishment or building in which he is employed upon payment of a fee of \$5.00.

Sec. 979. License Forfeited.—Any person, firm, or corporation who shall fail to correct any defect or defects in his work, after having been duly notified for ten days, by Superintendent of Electrical Affairs, shall not receive any further permit until such defect or defects have been corrected and, in any case in which any person shall continue to persistently violate the ordinances of the City in regard to electrical affairs or the orders of the Board of Electrical Control as transmitted through the Superintendent of Electrical Affairs, touching the same, the license of such person shall be forfeited and the reissuance of any license so forfeited shall be only after recommendation to that effect shall have been made by the Board of Electrical control.

Sec. 980. Not Relieve Liability to Damage.—Nothing herein contained shall be construed to relieve any firm or company from liability, or moral responsibility, in case of accident, to life, or damage to property, in the operation of their plant or plants.

Sec. 981. Bridging Fuse Block—Fusing Conductor Above Capacity.—It shall be unlawful for any persons to bridge a fuse block with a piece of wire or fuse any conductor above its rated carrying capacity.

Sec. 982. Fuses—Marked—Amperes.—Every fuse must be plainly marked with the number of amperes it is designed to carry.

Sec. 983. Penalty.—Any person convicted of violating any of the provisions of this ordinance shall be fined not exceeding twenty-five (\$25.00) dollars or imprisoned not exceeding ten days or both penalties to be inflicted at the discretion of the Recorder.

Sec. 984. Penalty for Defacing or Breaking Lamps or Globes.—Any person or person, who may in any way maliciously deface or break any of the electric globes or lamps, shall, for the first offense pay a fine of not less than ten dollars, or serve ten days on the public works; for the second offense, pay a fine of twenty-five dollars, or serve twenty-five days, and for the third and each offense thereafter shall serve not less than thirty days on the public works, in the discretion of the Recorder's Court.

Sec. 985. Penalty for Employing Careless or Intoxicated Workmen on Electric Wires.—Any person, firm, or corporation, knowingly employing or allowing any employee to work on any telephone wires, electric light wires, electric street car wires, or any other wires in the City of Atlanta, where danger to person or property would be likely to occur, in an intoxicated condition, or shall employ incompetent, careless hands for such work, shall, upon conviction before the Recorder's Court pay a fine of not exceeding one hundred dollars, or not exceeding thirty days in the City stockade. Any person working on any of the wires aforesaid in an intoxicated condition, or in a careless manner, shall, upon conviction before the Recorder's Court be subjected to the same punishment as provided above.

Sec. 986. Underground Circuits—Conditions Imposed.—All corporations, firms, or persons, to whom permission may hereafter be granted for running or laying underground circuits, tubes or pipes for electrical conductors or cables or wires, shall conform to the requirements of this ordinance.

Sec. 987. Permission by Ordinance Necessary to Lay Conduits, Etc.—No street, alley, lane or road in the City of Atlanta shall be broken or occupied by any corporation, firm or person, for the purpose of laying down conduits, tubes, or pipes for electrical conductors, cables or wires, unless authority by ordinance be first obtained.

Sec. 988. Length of Street Openings—Kept Open—How Long.—During the construction or laying down of said underground conduits, tubes, pipes, conductors, cables, and wires, no street, alley, lane, or road shall be opened, or the paving broken into, for a greater distance than five hundred (500) feet at any time and no section of the five hundred (500) feet shall be kept open for a longer period than ten (10) days, and said opening or trench shall not be of greater width than two (2) feet, and, as the work progresses, the paving shall be promptly relaid, and the street, alley, lane or road put in good condition.

Sec. 989. Application to Board of Electrical Control—They Issue Permit—Work under Direction of Board.—Prior to making an opening in any street, alley, lane or road, for the laying of conduits, tubes, or pipes for electrical conductors, cables, or

wires, the corporation, firm, or person desiring to lay the same shall make application in writing to the Board of Electrical Control, and shall file plans and specifications with said department, showing the location, route, and length of the proposed conduits, pipes, and tubes, and the said Board of Electrical Control shall have authority to issue the necessary permit for the opening of such street, lane, alley or road, as set forth in the application and plans, as are proposed to be occupied. The opening of any street, lane, or road, without a permit having been first obtained, shall forfeit the right of any corporation, firm, or person to use or occupy any street, lane, alley, or road. The work of laying any underground conduits, tubes, pipes, electrical conductors, cables and wires shall be under the direction and to the satisfaction of the Board of Electrical Control, who shall at all times have free and unobstructed access to the conduits, tubes, pipes, electrical conductors, or cables, for the purpose of inspecting the same, or making connections therewith for wires or conductors in use, or to be used by the City, in which case the Company shall have reasonable notice.

Sec. 990. Bond and Security Required for Damage to City Service Pipes.—All corporations, firms, or persons, occupying any street, lane, alley, or road with underground conduits, tubes, pipes, cables, electrical conductors or wires, shall be liable for all damages to gas and water main services, and sewer connections with sewers, and also for any damage caused by the opening of trenches or condition of street, alleys, lanes, or roads resulting from the laying of conduits, tubes, pipes, electrical conductors, cables or wires, or making connections, for which the City of Atlanta would otherwise be liable, or where the same belongs to the City, and sufficient bond shall be given, subject to the approval of the Mayor, in the sum of dollars to cover the same, and the said party or parties shall be liable to the extent of damages.

Sec. 991. One Duct for City Use—Proviso.—Any company, firm, or person, placing conduits, under this ordinance shall furnish to the City, on demand, one (1) duct for municipal purposes free; provided, no electric light or power wire shall be used in telephone or telegraph conduits.

No grant, franchise, or permit, to lay, maintain or operate underground conduits, shall be made to any person, firm or corporation, except upon the express condition that in each conduit laid there shall be constructed one duct for the use of the City of Atlanta, which said duct shall be turned over to the City upon demand.

No such grant shall be made to any person, firm or corporation to extend a system of conduits except upon condition that one duct throughout the whole system shall be set aside for the use of the City.

The conditions of this ordinance are hereby made a part of each franchise to lay, maintain or operate conduits granted in the future, and before any grant shall be complete, the petitioning person, firm or corporation, shall file their consent to the terms thereof with the Clerk of Council.

Sec. 992. Reports to be Made under Oath—Penalty for Failure.—All corporations, firms, or persons having telegraph, telephone, or electric lighting wires, electrical conductors or cables, placed underground, shall, in writing on or before the first day of January of each year, certify under oath to the Board of Electrical Control the actual number of wires, location, and the miles of wire and electrical conductors underground owned, leased, or controlled by them in the City of Atlanta. Failure to make such return within the time provided for in this ordinance shall subject the offenders to a penalty of fifty (\$50) dollars per day until such return is made.

Sec. 993. Bond Required—Relay and Keep in Repair Pavings Disturbed—Amount—By Whom Approved.—Upon the passage of any ordinance, granting any company, corporation, firm, or individual, privileges under this ordinance or any ordinance now in force, or to be hereafter passed, relating to or regulating underground wires, electrical conductors, conduits, pipes, cables, or tubes, the said company, corporation, firm or individual shall before exercising any privileges thereunder, give a bond to be drawn and approved by the City Attorney and the Mayor, and to be entered of record, in the sum of two thousand (\$2,000.00) dollars, conditioned that they will properly relay and pave all openings made by them, and thereafter keep in repair the same. The Board of Electrical Control shall not issue any permits until this condition is complied with.

Sec. 993. Sale of Franchise without Consent of Mayor and General Council Operates as a Forfeiture.—Should any company, corporation, firm or individual, to which or whom privileges have heretofore been, or shall hereafter be, granted for the laying of underground wires, electrical conductors, cables, or tubes, dispose of any of the franchises granted by ordinance, or lease to, consolidate or merge with any other company, corporation, firm, or individual, without the consent of the Mayor and General Council previously had, they shall forfeit all rights and privileges granted to them by the City of Atlanta, and upon satisfactory proof being furnished to the Board of Electrical Control, and the City Attorney, they are hereby authorized and directed to take such action as will carry the provisions of this section into effect.

Sec. 994. Applications for Permits to Set Poles—Approval by Whom.—Applications for permits to set poles must be accompanied by a plan indicating the proposed location of same. Such plan, if approved, may be so approved under modification in minor details, subject to the approval of the City Engineer and Committee having such matters in charge.

Sec. 995. Erecting Poles—Alleys to Main Streets.—It shall not be admissible to occupy any main street with new poles or other supports where it is practicable to penetrate any district or supply the occupants of any one square by erecting such poles or supports in the alley-ways.

Sec. 996. Line of Poles on One Side of Street Only—Right Reserved for Fire Alarm Wires or Poles.—The poles of a main line on any street must be confined to one side of the street, unless a special permit to the contrary be granted, and in future construction poles of sufficient size and height shall be used as to admit of all telephone and alarm wires being placed on the same poles—all persons or companies using the poles paying a pro rata part of the construction, according to service. The City reserves the right to place fire-alarm wires on all poles erected on her streets, alley-ways, or public places, without cost.

Sec. 997. Power Wires on Opposite Side of Street.—All poles carrying telegraph or electric light and power wires must

be placed, wherever possible, on the opposite side of the street from telephone and alarm wires.

Sec. 998. Unlawful for Plumbers or Gas Fitters to Install Metal Pipe Nearer than Three Inches from Electric Wires.—It shall be unlawful of any plumber, gas or steam fitter, or other person, to install, fix or place any metal pipe in a building nearer than three (3) inches from an electric light or power wire, unless such electric light or power wires are insulated under such requirements as may be imposed by the City Electrician.

Sec. 999. Removal of Wires by a Competent Wireman—Under City Electrician.—Whenever such pipes, now or hereafter erected, are removed, under permission as herein provided, such work shall be done under the direction of the Superintendent of Electrical Affairs, and by a competent electric wireman, at the expense of the person procuring the change.

Sec. 1000. Penalty for Violation.—Any person, firm, or corporation, their agents or employees, convicted in the Recorder's Court of violating the preceding sections, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1001. Second Company to Pay Expense of Raising Wires—When—Requirements—Conditions.—Whenever it is necessary for any electric light, power, or trolley wires, to be run under telegraph, fire-alarm, or telephone wires, permission shall be granted to do so, but the Company running such wire or wires shall pay the expense of raising the other wires, so that said wires shall not be less than five feet above said electric light, power, or trolley wires, to make them entirely safe; and whenever any telegraph, fire alarm, or telephone companies wish to stretch wires above any electric light, power or trolley wires, they must cross not less than five feet above said wires.

Sec. 1002. Right Reserved, in All Grants for Conduits—to Give Same to Others, on Paying Therefor—Condition of All Grants.—All grants or permissions given by ordinance or resolution to any person, firm, or corporation, by the General Coun-

cil to erect conduits of any kind, in or upon the streets and public places of the City for the purpose of having wires or other appliances such as cables, etc., placed or strung therein to convey electric current, or similar agency, to supply electric light, electric power, or heat or for the use of telephones, telegraphs or any companies or persons erecting conduits and placing or stringing wires therein in the City limits, shall be subject to the following conditions, to-wit:

The Mayor and General Council reserve, whether this condition is mentioned in the resolution or ordinance granting said rights and powers; the right and power to grant similar privileges and permits to other persons or companies, to use the same conduits for the same purposes, provided such other person or corporation shall pay therefor a reasonable value, such value to be determined by agreement or condemnation subsequent to the grants or permits made by General Council to the second applicant.

Sec. 1003. Acceptance, Binds to Condition—Applies to All, Now or Hereafter, Constructing by Permit of City.—All grants, permits and privileges made by the Mayor and General Council for any of the purposes named in preceding sections of this ordinance, shall be subject to all the conditions hereof and the applicant binds himself or themselves thereto by accepting any of said grants or privileges, and the provisions of this ordinance shall apply to all Companies now or hereafter installing conduits under any ordinance or resolution of this General Council; Provided, however, that this ordinance shall not apply to any corporation which now has a specific contract or agreement with the City of Atlanta with reference to the manner in which its conduits or sub-ways within said City may be used by any other firm, corporation or company, as to those provisions which are different from or contradictory to this ordinance.

Sec. 1004. Certain Rights Reserved in Granting Permits—Other Applicants—First Applicants Bound Thereto.—In granting permits to erect poles for purposes of electric light or power, the Mayor and General Council reserve the right—if the interests of the City so require—to authorize other Companies or persons to use the same poles for the same purposes, upon the payment to the owner thereof of a proper compensation to be

determined by agreement. All permits will be subject to this condition, and in accepting a permit the applicant binds himself according thereto. This same mode of settlement or agreement applies to telephone, telegraph, and other wires.

Sec. 1005. Telegraph Wires Must be in Conduits, within Inner Fire Limits.—All companies, corporations, firms or persons, now or hereafter, owning or operating telegraph wires shall place such wires in underground conduits within the close district of the fire limits of this City, and shall complete such work, as to existing wires, within two years hereafter, and thereafter all such wires shall, in the beginning of placing said wires, be placed in underground conduits.

Sec. 1006. Plans—Who Passes on.—All plans therefor, material for such work, and the execution thereof, shall all be under the supervision and shall be to the full satisfaction of the Superintendent of Electric Affairs.

Sec. 1007. Defective Work—Rejected.—Defective work, poor workmanship and defective plans shall be rejected by said Superintendent of Electrical Affairs, and substantial material and skillful workmanship shall be substituted therefor.

Sec 1008. One Conduit for City.—The City hereby reserves the right to require an extension or change in said underground conduit—one conduit to be reserved for the City as now required by existing ordinances.

Sec. 1009. Penalty.—Any Company, their agents, and officers violating any of the provisions of four preceding sections, shall on conviction in the Recorder's Court, be punished by a fine not exceeding \$100.00 or imprisoned on the Public Works not exceeding 30 days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1010. Power Reserved to Modify or Add to Regulations. In granting permits for overhead electric construction the Mayor and General Council reserve the right to add to or modify the rules and regulations, herein provided, and, if it should prove necessary, to have arms or all electric wires placed underground.

Sec. 1011. Fire Alarm Gongs to be Placed in Each Power Station.—The Fire Department of the City shall place in the station of every electric light or power company, at the latter's expense, a suitable gong and indicator connecting with the fire lines, by which shall be indicated the location of all fires. On the breaking out of a fire in any district, in which any electric light or power Company has wires, such Companies shall forthwith send a man prepared to remove the same, under the direction of the Chief of the Fire Department or his assistant.

Sec. 1012. Electric Currents Must be Retained in Proper Channels—Appliances Kept in Good and Safe Repair—Electrolysis.—It shall be the duty of all persons or companies, using or employing electrical currents in the City of Atlanta, by or before July 1, 1898, to provide and put in use such means and appliances as will so control and effectually retain such currents in their proper channels, and on their own wires, tracks and other works, as to prevent injuries to pipes and other structures belonging to the City of Atlanta, in the streets, alleys, or other parts of said City. And to repair and renew said means and appliances, or, from time to time, change and improve the same, as may be necessary to accomplish said purpose, all at his or their charges and expense, and, at his or their own risk, selecting and adopting such means and appliances as shall prevent injury to pipes and other structures belonging to the City, as aforesaid.

Sec. 1013. Penalty for Violation.—Any person or Company violating foregoing provisions shall be subject to a fine of one hundred (\$100.00) dollars for such offense, and in order to a conviction under this ordinance it shall not be necessary to show that the entire electrical current, imposed on the pipes or other structures belonging to said City, in the streets, alleys, or other parts thereof, escapes from or comes from the power house or works of the party or parties charged as aforesaid, but it shall be sufficient for a conviction, if the Company or party, by failing to restrain its or their currents, materially contributes to the injury of pipes or other structures belonging to said City as aforesaid.

Sec. 1014. City's Right to Damages not Affected by the Prosecution of Offender.—Neither the collection of any penalty

for violating preceding sections of this Code, nor any prosecution for the same, shall have the effect to take away or abridge the right of said City for damages arising from the trespass done to said City, or to the pipes or other structures belonging to said City by such aforesaid current being permitted to escape from the structures of the party or parties generating the said current or currents, and, in case of damage to the pipes or other structures belonging to said City, in the streets, alleys, or other parts thereof, the same may be demanded and collected through the proper channels, and on failure to pay the same may be sued for in any Court having jurisdiction; provided, this is not to be construed as requiring the City to show the damage actually produced by said current.

Sec. 1015. Size of Fuse Must not be Above Rated Capacity of Wire.—It shall be unlawful for any person, firm, or corporation, their agents or employees, to increase the size of an electrical fuse above the rated capacity of the wire, which it is protecting, in or on any building.

Sec. 1016. Penalty for Violation.—Any person, firm or corporation, their agents or employees, violating the foregoing provisions, shall, on conviction by the Recorder, be fined not exceeding one hundred dollars, or imprisonment not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec 1017. Voltage in Excess of Four Thousand Volts Unlawful—Except.—It shall be unlawful for any person, firm, or corporation, owning, possessing, controlling or operating, overhead lines or wires for the transmission of electric current, to send or carry in or through said wires, or permit same to be used for electric current, having a voltage at any time in excess of four thousand volts, except upon and along such route as shall have been first submitted to, and approved by the Board of Electrical Control.

Sec. 1018. Penalty for Violation.—Any person, firm, or corporation violating the provisions of the preceding sections, shall, on conviction in the Recorder's Court, be fined in a sum not exceeding \$500.00, or imprisoned for a term not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1019. All Electric Light, Power and Railway Feeder Wires, Except Trolley Wires, Shall be Placed in Conduits in Inner Fire District—Work and Material under Supervision of Board of Electrical Control.—All companies, corporations, firms, or persons, now owning or operating electric light wires, electric power wires, and electric railway feeder wires, except trolley wires, shall proceed to place such wires in underground conduits within the close district of the fire limits of this City, and shall complete the work of placing such wires underground within two years from the date of the approval of this ordinance; and all persons or companies, that may hereafter be granted permission to operate electric light, power, or feeder wires in the City of Atlanta, shall, in the beginning, place such wires in underground conduits within the radius above described. The work of placing such existing wires in underground conduits must be commenced as early as possible, and plans for such work, whether existing wire or wires to be hereafter installed, must be submitted to and approved by the Board of Electrical Control of the City of Atlanta; and all material used in executing said work must be approved by the Board of Electrical Control and the actual execution of the work to be done under the supervision of the Board of Electrical Control of the City and the City Engineer.

Sec. 1020. Defective Work May be Ordered Removed—Failure—Alternative.—All material used, and the work done, in placing electric wires in underground conduits, as aforesaid, which does not meet the approval of the Board of Electrical Control, may be rejected by said Board, and, in event of such rejection, be removed by the Company furnishing such material, and doing such work, at its own expense, within five days after notice of such rejection, and, if not so removed within ten days after such notice of rejection, they may be removed by, or under the direction of, the Board of Electrical Control at the expense of the party furnishing such material or doing such work.

Sec. 1021. City Reserves Right for Future Requirements as to Underground Conduits.—The City of Atlanta reserves the right and power to require the extension of underground conduits and the placing of electric light, electric power, and electric railway feeder wires in them, at any and all points within the City of Atlanta, from time to time, in the discretion of the

Board of Electrical Control, subject, however, to revision and final approval by the Mayor and General Council.

Sec. 1022. Penalty for Failure to Place Wires in Underground Conduits.—All persons, firms, or corporations, either as principal, employee, or agent, violating any of the provisions of this ordinance approved October 9th, 1899, requiring electric light wires, and electric railway feeder wires (trolley wires excepted), to be placed in underground conduits, within the close district of the fire limits of the City within two years from said date, and providing for rules and regulations thereof, shall on conviction be fined not exceeding fifty dollars for each offense, or be imprisoned not exceeding thirty days, and a failure to comply with the terms of said ordinance for as long as one day shall constitute an offense, and a case shall be made against such violators for each day during which they fail to comply with the terms of said ordinance.

Sec. 1023. An Exception to Underground Requirement.—On Thurmond Street, from the railroad crossing northerly to a point one hundred feet North of Marietta Street, wires for lighting circuits may be run overhead, and this is hereby ordained as an exception to the general ordinance requiring wires to be placed underground within the inner fire limits. On East Hunter Street between Capitol Ave. and Fraser St., overhead tension wires may be run, under supervision of City Electrician, subject to removal by Council.

Sec. 1024. Electric Signs—Lawful to Erect.—Any person, firm, or corporation may erect and maintain over any sidewalk, street, avenue, or alley, in this City, any electric sign of signs conforming to the requirements of following sections.

Sec. 1025. Electric Signs—Defined—How Constructed.—An electric sign is hereby declared to be any sign constructed as follows: Signs, all or part of the letters of which are made in the outline of incandescent lamps; transparent glass signs, illumined with electric lamps; signs with flush painted or raised letters, and having a border of incandescent lamps. The number of incandsecant lamps for each side of any electric sign shall not be less than one lamp for each one and one-quarter square foot of sign surface.

Sec. 1026. Shall be Securely Supported and Fastened—Both Sides Illumined—Nine Feet Above Sidewalk Minimum—Projection not Beyond Curb Line. Signs erected by authority of these provisions shall be firmly and securely supported, and attached to the building, and both sides of such sign must be equally illuminated each and every night from dusk until at least the hour of 9:30 P. M., and, when overhanging any sidewalk, street, avenue, or alley, must be placed at least nine feet above the sidewalk, street, avenue, or alley, and shall not project beyond the curb line.

Sec. 1027. Shall Submit Plans and Design to Superintendent—Who May Approve Same—Permit—by Whom Issued—Work Approved by Whom.—Any person, firm or corporation, desiring to erect and maintain any electric sign over any sidewalk, street, avenue or alley, shall make application for the privilege so to do to the said Superintendent, stating the location, and furnishing therewith plans and specifications of the said sign, and attachments, and method of securing same, and of the wiring, connections, etc., making a full exhibit of the mechanical and electrical work. Said Superintendent shall submit such plans and specification to the City Building Inspector, and the City Engineer, and upon the approval by the City Electrician, City Engineer, and City Building Inspector of the said plans and specifications, said Superintendent shall thereupon issue a permit to the applicant to construct said sign. The Superintendent shall, upon being notified of the completion of such sign, cause an inspection of same to be made, and, if such sign has been constructed in accordance with the provisions of these sections, and the plans and specifications, which have been approved by the Superintendent, City Engineer, and City Building Inspector, he shall then issue a permit for the operation and maintenance of said sign.

Sec. 1028. Unlawful to Erect Sign Other than as above Prescribed.—It shall hereafter be unlawful for any person, firm, or corporation to erect or maintain over any sidewalk, street, avenue, or alley, in the City of Atlanta, any electric sign or signs except as prescribed in this Code.

Sec. 1029. Electric Theatres—Ordinance Governing.—Any person, firm, or corporation, having, operating, owning, con-

structing, or maintaining electric theatres, or auditoriums, where moving pictures are displayed or similar theatres or auditoriums, shall comply with the terms of this ordinance, and this ordinance is hereby made applicable to electric theatres or auditoriums, where moving pictures are displayed, or similar auditoriums or theatres, now existing, as well as those hereafter constructed. But existing theatres are given sixty days, within which to comply with this ordinance.

Sec. 1030. Building Inspector and Superintendent Must Issue Permit.—Such theaters or auditoriums, hereinafter called electric theatres, shall not be constructed, fitted up, or operated, or licensed, until a permit therefor has been issued by the Building Inspector and said Superintendent. Said officers are hereby directed and authorized to issue permits for such electric theatres, provided they are constructed in accordance with plans approved by them, and which plans secure the safety of persons patronizing same.

Sec. 1031. All Wiring under Supervision of City Electrician—License Void Unless His Orders Complied with.—All wiring in such theatres shall be installed under the direct supervision of the City Electrician, and, where he condemns any such wiring, same shall likewise be re-installed, and, in all cases, where the owners or operators of such electric theatres refuse to conform to the directions of the City Electrician, in the matters herein mentioned, the license therefor shall be ipso facto void and such theatres shall be immediately closed as unsafe for patronage.

Sec. 1032. All Fuses to be Installed in Fire-Proof Enclosures—Space Between Fuse and Sides and Face of Enclosure.—All fuses in connection with lights illuminating the parts of the house, room, or auditorium, used by the audience, must be installed in fire-proof enclosures, so constructed that there will be a space of at least six inches between the fuse and the sides and face of the enclosure.

Sec. 1033. Exit Plainly Marked—Height of Letters—Limit of Fuses.—All exits shall be plainly indicated by a sign—same to be illuminated by other than electricity, and bear the words "EXIT," the letters of which must not be less than four inches

in height, and there must not be more than one set of fuses in any "EXIT" sign circuit between the service fuse and the sign.

Sec. 1034. Control of Lights—Stage and Auditorium Lights Separately Fed.—Inside lights, and all lights in halls, corridors, and any other part of the building used by the audience, except the general auditorium lights, must be fed independently of the stage light, and must be controlled only from the lobby, or other convenient place in the front of the house, and there must be two circuits in the auditorium, one controlled by operator in booth, and one controlled from without the auditorium, viz: in lobby or without the entrance.

Sec. 1035. All Outlets to be Thoroughly Lighted—Number of Lights.—Every portion of the building devoted to the use or accommodation of the public, all outlets leading to the streets, all open courts, corridors, hallways, and exits, shall be thoroughly lighted during every performance, and remain lighted until the entire audience has left the premises. One 16-candle-power incandescent lamp for every four hundred square feet of floor is hereby ordained as sufficient illumination.

Sec. 1036. Construction of Each Arc Lamp, Part of Machine.—Each arc lamp, used as a part of the moving picture machines, must be constructed as directed by the City Electrician, and the wiring of same must not be of less capacity than No. Six B. & S. gauge.

Sec. 1037. Rheostats Must Conform to Electrician's Requirements.—Rheostats must conform to rheostat requirements, as directed by the City Electrician.

Sec. 1038. Top Reel to be Encased in Box—No Solder Used.—Top reel must be encased in iron box, which box has a hole at the bottom only large enough for films to pass through, and cover thereof so arranged that this hole can be closed. No solder to be used in the construction of this box.

Sec. 1039. Crank Must Be Secured to Shaft—Prevent Coming Off.—The handle or crank for filling the machine must be secured to the spindle or shaft, so that there will be no liability

of such handle or crank coming off, or allowing the film to stop in front of the lamp.

Sec. 1040. Shutter Placed, Subject Only to Outside Pressure.—A shutter must be placed in front of the condenser, arranged so as to be closed normally, subject to open only by outside pressure, such as the pressure of the foot.

Sec. 1041. Extra Films—How Kept.—Extra films must be kept in a metal box having a tight-fitting cover.

Sec. 1042. Must Be Operated by Hand—Motor-Driven Machines Prohibited.—Said machines must be operated by hand. Motor-driven machines are hereby prohibited.

Sec. 1043. Picture Machine—How Housed—Material—Regulation of Openings, Etc.—The picture machine must be placed in an enclosure or house made of or lined with fire-proof material, thoroughly ventilated, and large enough for the operator to walk freely on either side or back of the machine. Such enclosure or house must have no openings into the auditorium, other than the opening where the light for picture is emitted, and this opening must be provided with fire-proof covering, or door hinged with spring hinges, opening by a trigger, which is in reach of the operator, so that it can be released by hand, and which door must be constructed so that it can be securely closed. Furthermore, if the City Electrician and Building Inspector decide that the arrangements are such as would require it, such door must be so arranged that it may be released automatically. All other openings, such as vent and entrances to the enclosure, must be open into some other part of the building or theatre other than the main auditorium. No electrical pictures or material of any kind will be permitted in the operating booth other than the picture machine and its accessories.

Sec. 1044. Penalty for Violation of Electric Theatre Ordinance.—Any person, firm or corporation, their agents or employees, constructing, operating, owning or managing electric theatres or auditoriums, where moving pictures are displayed, or similar theatres, in violation of any of the terms of preceding sections shall, on conviction in the Recorder's Court, be punished by a fine not exceeding \$100.00, or imprisoned upon the public

works not exceeding 30 days, either or both penalties to be inflicted in the discretion of the Recorder, each day's operation to be held a separate offense.

Sec. 1045. Prize Fights—Boxing Contests—Illegal to Show in Moving Pictures.—No person, either as owner, agent or employe, shall display by means of moving pictures or similar devices the progress or result of any prize fight or boxing contest, in either an electric or moving picture show or vaudeville performance or in a theater or at any place in or at which persons gather, either by paid admission or by free exhibition.

Sec. 1046. Penalty.—Any person violating preceding section of this ordinance shall be deemed guilty of an offense and on conviction thereof in the Recorder's Court, shall be punished by a fine not exceeding Five Hundred Dollars or sentenced to work on the public works of the city for not exceeding thirty days, either or both penalties, to be inflicted in the discretion of the Recorder and, in addition thereto, the Recorder shall have the power, in case a person violating this ordinance holds a license for any purpose or business from the City, to forfeit such license and thereafter any effort to operate such business under such forfeited license shall be deemed an offense punishable in the same manner as provided in this section.

CHAPTER XLVI.

FIRE DEPARTMENT—BOARD OF FIREMASTERS.

Sec. 1047. Fire Department—Control and Supervision by Whom.—The Fire Department of the City of Atlanta, and the buildings, machinery, and equipment of said Department, shall be under the control, supervision and management of the Board of Fire Masters, subject only to the approval of the Mayor and General Council.

Sec. 1048. Board of Fire Masters—Duties—Apparatus of Department.—The Board of Fire Masters shall be the Mayor, the Chief, two Aldermen, and the Fire Department Committee of the General Council, whose duty it shall be to employ the necessary men, and purchase all material for the proper working of the Department, subject to the approval of the Mayor and General Council. The Chief shall act as Secretary of said Board and shall keep a book of minutes of the proceedings of the Board and, also, all accounts that may relate to the Fire Department. The Fire Department of the City of Atlanta shall consist of such appliances as may be deemed necessary by the Mayor and General Council.

Sec. 1049. Officers of the Fire Department.—The Officers of the Fire Department shall consist of a Chief, with the foreman of each fire Company as assistants. The Chief of the Fire Department shall also be Superintendent of the Electric Fire Alarm Telegraph, and shall be elected by the Mayor and General Council at their first regular meeting in June, 1892, and continue until 1st July, 1883, when his successor shall be elected at the same time other City Officers are elected, and biennially thereafter.

Sec. 1050. Salary of Chief—No Other Perquisites.—The salary of the Chief shall be fixed before his election, and shall not be changed during his term of office. It shall be three thousand dollars per annum, payable in monthly installments, and

the Chief shall not receive any additional compensation for the discharge of his duties from any person, firm, or corporation whomsoever. He shall give a bond of one thousand dollars for the faithful performance of his duties.

Sec. 1051. Division of Department—(Companies and equipment have been increased since the adoption of this ordinance by authority duly delegated to the Board of Fire Masters.)

The Fire Department shall be divided into steam fire engine companies, each consisting of one foreman, one engineer, one stoker, and one driver; two hose reels to be connected with the two steam fire engine companies, under the command of the foreman of said fire engine companies, and shall each be operated by fire runners and one driver; two hose reel companies shall each consist of one foreman, one driver, and five runners; and one hook and ladder company shall consist of one foreman, one driver, and five runners, all of whom shall be paid as the Mayor and General Council may provide, except where the said Board of Fire Masters shall see it is to the interest of the City to employ what shall be termed callmen, who shall be paid not more than twelve dollars and fifty cents per month, and whose duty it shall be to attend all fires and there perform such duty as may be assigned to them by the officers in command,

Sec. 1052. Chief and Foreman of Each Company Have Police Powers—The Chief and Foreman of each Company are hereby vested with all the powers of a police officer of the City, in so far as to make arrests within the City.

Sec. 1053. . Vacancies—Sickness—Disability—How Filled.—The Chief shall have the power, if, in his opinion the interests of the City demand it, to fill temporarily any vacancy caused by sickness, disability, or absence of any member of the Department, and such temporary appointee shall receive the pay allowed to the position filled, and be subject to all the rules and regulations of the Department.

Sec. 1054. Board of Fire Masters Make Rules for Department Government.—The Board of Fire Masters shall have the power to make such rules and by-laws for the government of the Department as shall to them seem most expedient, not in conflict with this ordinance or the City charter.

Sec. 1055. Board May Dismiss Employees after Hearing.—The Board of Fire Masters shall have the power to suspend at will; also, to fine or dismiss, any of the officers or men, who shall have been employed by said Board, for any violation of the rules of the Department, after a full and impartial hearing and trial shall have been given to said officers or men by the said Board at a meeting to be called for that purpose.

Sec. 1056. Absence of Chief—Permission of Board—Assistant Acts.—In the event of the absence or sickness of the Chief, he shall appoint a member of the Department to fill his place. The Chief shall not absent himself from the City without the consent of the Board of Fire Masters.

Sec. 1057. Right of Way Must be Given to Fire and Police Machines—also Electric Light Company's Wagon.—In the event of an alarm of fire being given from the central station, the apparatus of the Fire Department shall have the Right-of-way in and upon the streets, squares, lanes, alleys, and railroad crossings in going to any fire, or being upon such streets, lanes, alleys, squares, or railroad crossings. No person shall obstruct or neglect to make way for any apparatus being thus in or upon any of said streets, lanes, alleys, squares, or railroad crossings, under a penalty of not less than five dollars nor more than one hundred dollars for every offense, or, in default of payment, to an imprisonment of not more than thirty days upon conviction of such violation in the Recorder's Court. The police patrol wagon shall at all times have the same right-of-way as the fire apparatus. The agent of the Georgia Electric Light Company, when reporting to the Chief of Fire Department at all fires in the City, shall likewise have the right-of-way of the streets, as now allowed the fire apparatus, under penalties above named to all who violate the same upon conviction of such violation in the Recorder's Court.

Sec. 1058. Vehicles not Driven on Streets, when Fire Department is at Work—Penalty.—It shall not be lawful for any person or persons whomsoever to drive a vehicle through the streets and lanes, in which the Fire Department is assembled for the purpose of extinguishing a fire, and, should any person or persons attempt to ride or drive a vehicle through the streets and lanes, in which the Fire Department is assembled for the

purpose aforesaid, he or they shall be arrested by any officer authorized to make such arrest, and on conviction in the Recorder's Court, be fined a sum not exceeding fifty dollars, or be imprisoned not exceeding thirty days, or both, at the discretion of the Court.

Sec. 1059. Penalty for Giving False Alarm.—It shall be unlawful for any person or persons to give or cause to be given a false alarm of fire, with the intent to deceive, or to pull the slide of any station or signal box, except in case of fire, and any person or persons guilty of the violation of the provisions of this section shall, upon conviction, be fined in a sum not exceeding two hundred and fifty dollars, or be imprisoned not exceeding thirty days, or both, at the discretion of the Recorder's Court, and one-half of the fine paid in each case shall be paid the informer, furnishing proof to convict; provided, no part of said fine shall in any case be paid to any policeman, fireman, or other officer of said City.

Sec. 1060. Fire Alarm—Interference with Prohibited—Penalty.—It shall be unlawful for any person to injure, destroy, or in any manner interfere with the electric fire alarm of said City, or with the batteries, boxes, stations, wires, or other apparatus or appurtenances thereof, or used in connection therewith. Any person violating the provisions of this section shall, on conviction thereof, be fined for each offense a sum not exceeding \$500 and imprisonment not to exceed thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1061. Obstructions Near Fire Plug Prohibited—Penalty.—It shall not be lawful for any person to obstruct with building material or otherwise any cistern or fire plug, such as would obstruct approaches to the same by the Fire Department of the City of Atlanta. Any person violating the foregoing provision shall, for each offense, be subject to a fine not exceeding \$100, or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court. Any person putting any awning post nearer than eighteen inches to any fire hydrant shall, on conviction pay a fine of not exceeding \$100, or be imprisoned not exceeding thirty days, in the discretion of the Court.

Sec. 1062. Duties and Powers of Chief—Record of Department.—The Chief shall be present at all fires or alarms, fully equipped, and shall there have sole direction of the operations of the Department. He shall be liable to a fine of three dollars for non-attendance. It shall be his duty to visit the several houses at least once in every twenty-four hours, and see that the houses, apparatus, horses, etc., are in proper condition, and that the men are at their posts; and, should he find anything out of order, or any member derelict in his duty, he shall have authority to suspend him, but must at once report the matter to the chairman of the Board for his action. All reports made to him by the officers, or any other matters, that may come to his knowledge, shall be reported in writing to the Board of Fire Masters, or in its recess to the Chairman as soon as possible. He shall be required to keep an accurate account of all fires, alarms of fire, the origin, or supposed origin, amount of loss incurred, and amount of insurance of the destroyed or damaged property. He shall exercise all power and authority, which is conferred upon him by virtue of this Chapter.

Sec. 1063. Gongs for Fire and Police Department—Rotary—when Rung—Emergency—Trolley Wire Trucks.—All fire wagons, police wagons, ambulance, trolley wire repair trucks and other vehicles which the Board of Fire Masters shall declare of a like character, must be equipped with New Departure or Rotary gongs and same shall not be rung except when said vehicles are making emergency runs and the drivers thereof are forbidden to ring same except in such cases. Emergency runs are hereby defined to be as follows: An ambulance going to and from an accident and serving the injured; fire wagons going to a fire; police wagons to and from a call for the transportation of prisoners or the officers of the Department sent out for immediate service; trolley wire repair trucks going out to make repairs in case of fires or unusual accidents rendering immediate repair of trolley wires necessary, and other vehicles, classed with these when serving their particular work.

Sec. 1064. When Rung, all Vehicles Clear Streets—Street Cars Stop.—When said gong is sounded by any vehicle or vehicles of fire department, all pedestrians upon the streets, in the path of said vehicles or in front of same, shall leave the street, and remain upon the sidewalk until said vehicles have passed.

All vehicles upon the streets in the path or in front of said vehicles shall pull up against the curb and remain standing, until said vehicles have passed. All street cars upon the streets being used by said vehicles and by which cars said vehicles must pass, shall stop until said vehicles have passed.

Sec. 1065. Others not Use These Gongs.—Any person, firm, or corporation, their agents or employees, using said New Departure or Rotary gongs upon vehicles of any character or an imitation thereof, or a gong similar in tone to said New Departure or Rotary gong, shall be guilty of an offense against this ordinance and upon conviction in the Recorder's Court, shall be fined not exceeding \$100.00 or imprisoned not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1066. Siren Whistle—Locomotive Bell—Limited to Fire Department—Others not Use.—All persons with the exception of the fire department are hereby forbidden to use the whistle known as "Friction Siren Whistle" upon any vehicle of any character whatsoever upon the streets of the City of Atlanta, or the bell known as "Locomotive Bell."

Sec. 1067. Penalty.—Any person violating any of the provisions of the foregoing ordinance shall on conviction in the Recorder's Court, be punished by a fine not exceeding \$100.00 or imprisonment not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1068. Foremen Shall Examine Plugs—When—Report Made—to Whom.—The foremen of the various companies, under the direction of the Chief, shall make examination of the fire-plugs at least twice each month, and shall report to the Chief, who shall in writing notify the Superintendent of the Water Works of any plugs, that are not in good working order.

Sec. 1069. Chief Keeps Copies of Letters. All communications from the Chief of the Department shall be copied in a letter-copying book.

Sec. 1070. Employees Subject to Assignment by Senior Officer.—All employees of this department are at all times subject to assignment to any duty by the senior officer in command.

Sec. 1071. Members Must Familiarize Themselves with Rules.—Each member of the Fire Department must make himself familiar with all the rules and regulations governing them.

Sec. 1072. Meeting of Board of Fire Masters.—The Board of Fire Masters shall meet on the Wednesday preceeding the first Monday in each month, and all bills and other matters for the consideration of the Board must be in the hands of the Secretary twenty-four hours before the time of the regular meeting.

Sec. 1073. Use of Water during Fires—Penalties Attached.—When the alarm of fire is sounded, and until the signal of "Fire out" is given by the Fire Department, it shall be unlawful for any person to use or draw water from the water mains or hydrants for sprinkling, flushing sewers, or for any other purpose, under penalty not to exceed \$100.00 fine, or not to exceed thirty days' imprisonment, one or both, in the discretion of the Recorder's Court, but not to apply to parties, who use water through a meter.

Sec. 1074. House Movers—Must Notify Chief of Fire Department.—From this date, anyone moving a house through any street of said City shall be required to place lights on the same at night, and shall notify the Chief of the Fire Department of the location of said house at night.

Sec 1075. Penalty for Violation.—Anyone convicted before the Recorder's Court of violating this ordinance shall be fined in a sum not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of said Court.

Sec. 1076. Vehicles to Give Right-of-Way to Fire Department—Penalty for Failure.—It shall be the duty of the driver or person in charge of any dray, hack, carriage or other wagon or vehicle, at any time when the fire alarm bell taps, to drive his team, or otherwise place his vehicle as close as practicable to the sidewalk, so as to leave the street open for the unobstructed passage of the Fire Department and its machinery. Any person violating this section shall be punished by fine not less than five nor more than one hundred dollars, or imprisonment not

exceeding thirty (30) days in the discretion of the Recorder's Court.

Sec. 1077. Provision for Firemen Losing Their Lives.—In case any officer or member of the Fire Department shall lose his life on account of injuries received in the discharge of his duty as an officer or member of said Department, then his wife and children shall be paid his salary for a period of twelve months following his death. If not wife, but children survive him, then to the children, provided guardians be appointed therefor in regular form.

Sec. 1078. How Above Appropriations Will Be Paid.—Said sums shall be paid from regular appropriation to Department of Fire, and the name of the deceased shall be carried upon the rolls for this purpose.

SALARIES—ACCORDING TO POSITION AND SERVICE —INEFFICIENT, REDUCED—HOW.

Sec. 1079. Salaries—Service—Positions—Increase—The pay of all drivers, ladder men, hosemen and stokers in the department of Fire, shall be fixed and paid as follows:

For the first year of their service with the City, they shall receive the sum of \$60.00 per month.

For the 2nd year of their service with the City, they shall receive the sum of \$65.00 per month.

For the 3rd year of their service with the City, they shall receive the sum of \$70.00 per month.

For the 4th year of their service with the City, they shall receive the sum of \$75.00 per month.

For the 5th year of their service with the City, they shall receive the sum of \$80.00 per month.

For the 6th year of their service with the City, they shall receive the sum of \$85.00 per month, and, after having served in said department continuously for as long as six years, they shall receive the sum of \$90.00 during their service in these positions. The above described provisions shall not operate to reduce any man now serving in the salaries now paid, but as to them the ordinance shall be prospective, except as to those found inefficient as hereafter provided.

Sec. 1080. Conditioned on Faithful Work—Suspension—Effect.—This increase for each year up to and including the sixth year of said service shall be conditioned upon the faithful performance of all duties and, should any of said employees be suspended for as long as thirty days during any year up to and including the sixth year of service, by and under lawful authority, full opportunity having been given him for a hearing, then such suspension shall operate so as to retain such employee in the same class for the year following his suspension and for the same pay as for the year in which he was suspended, in other words, such employee loses a year in the computation of his compensation under the system herein ordained.

Sec. 1081. Increase—Time—Maximum.—All employees except drivers as indicated in the preceding section, who, on the first day of October, 1910, have served for as long as one year, shall thereafter be paid the sum of \$80.00 per month and said driver shall thereafter be paid \$85.00 per month and such compensation shall be increased as provided by this ordinance, for each additional year's service thereafter at the rate of \$5.00 per month until such employees shall be paid the maximum sum of \$90.00 per month, while serving in said positions.

Sec. 1082. Examination—Hearing— Trial — Method.— The Board of Fire Masters shall examine into the efficiency of all of the officers and members of the Department of Fire, and in all cases where they find any officer or member inefficient for any reason they shall cause a statement of the alleged inefficiency to be served upon such officer at least five days before any meeting, and shall call upon such officer or member to show cause before them at such meeting why the judgment should not therein be entered declaring such officer or man inefficient for the reasons stated. This statement shall be signed by the Secretary of the Board of Fire Masters and a copy served on such officer or member personally, or at last known address of such officer or member, by a member of said department designated by the Chairman of the Board of Fire Masters, prior to such hearing. The Chairman of said Board shall cause such officers and men who have been cited to appear at said meeting for the reason named, to be examined by three competent physicians, selected for that purpose at a called meeting held by the Board of Fire Masters prior to such regular meeting in

time to have the examination completed and report thereof made to such regular meeting.

Sec. 1083. Separate Trials—Reports of Physicians.—At said hearings, each case shall be called separately, a statement of the cause of inefficiency read, the report of the physicians read, and such additional evidence shall be heard with reference thereto as the Board of Fire Masters may desire or such officer or member may present.

Sec. 1084. Judgment—Effect.—If said Board of Fire Masters, at said hearing, find any officer or member unable to do efficient service for any reason, whether by age, injuries or other cause, they shall enter a judgment to that effect on the minutes of the Board.

Sec. 1085. Reduced Pay—Light Service.—In all cases, where such judgment is entered by the Board of Fire Masters, they shall thereupon place such officer or member at light work in the department, at the stables or at service in and around headquarters or wherever active duty is not required and the pay of such officers or men shall thereupon be likewise reduced to the sum of \$45.00 per month. It is the purpose of the Mayor and General Council to make this ordinance effective with the beginning of the present calendar year but, by reason of the fact that some time will be required to give a full and fair hearing to the officers and members concerned, the compensation of such officers and men, who are found inefficient, as herein provided, shall not be reduced for the month of January, 1910, or up to the 15th day of February, 1910, but such reduction shall begin with the 15th day of February, 1910 and shall continue thereafter while such officers or men are doing such service as is herein provided.

Sec. 1086. Continue as Members of Department—Under Orders.—Such officers and men, as are found inefficient as herein provided, shall continue as members of the department of Fire, and shall be subject to perform such duties as their strength will permit and shall be subject to the orders of the Chief of the Fire Department, and of the Fire Masters at all times.

CHAPTER XLVII.

FIRES—PRECAUTIONS AGAINST—OILS—COMBUSTIBLES.

Sec. 1087. Kilns—Not Within Hundred Yards of House—Fifty of Fence—Penalty.—No person shall be permitted to build and fire any open plank kiln or kilns within one hundred yards of any house, or fifty yards of any fence, in the incorporate limits of said City; and any person violating said ordinance shall, on conviction in the Recorder's Court, be fined not exceeding one hundred dollars for each day such kiln is kept burning, or not exceeding thirty days' imprisonment.

Sec. 1089. Stovepipes and Chimneys to be Inspected—Remedy Defects—Penalty for Failure.—It shall be the duty of the Chief of the Fire Department to make frequent examinations into the conditions of the stovepipes and chimneys in this City, and if he shall deem their condition a source of danger from fire, he shall require the tenant or occupant of the house, where such stovepipe or chimney is, to remedy the same within twelve hours; and on failure or refusal of such tenant or occupant, such offender shall be liable, upon conviction in the Recorder's Court, to a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days; and if, from the evidence, the Court believes the condition of such chimney or stovepipe dangerous, the Court shall order the alteration to be made at the cost of the occupant.

Sec. 1089. —Uncovered Lights in Stables—Among Combustible Matter—Unlawful—Penalty for Violation.—Any person who shall be found guilty of carrying an uncovered or open light of any kind into any stable or barn, or any place, where provender, trash, or any matter is contained, that is easy of combustion, in the City of Atlanta, on conviction of the same, in the Recorder's Court, shall be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Sec. 1090. Permitting Persons to Carry Lights to Such Places—Penalty.—If any person or persons shall permit to go or send any servant or other person with uncovered lights into such place or places, as described in the preceding section, he, she, or they, may be liable to the penalty imposed by said section, on conviction before the Recorder's Court.

Sec. 1091. Unlawful to Build Fires in Public Streets—Penalty.—It shall be unlawful for any person or persons to build or maintain a fire in any of the public streets of the City of Atlanta within three feet of any curbing. Any violation of the above shall be punished by a fine of not exceeding twenty-five dollars, or imprisonment in the Stockade, or work upon the public works, not exceeding thirty days, in the discretion of the Recorder.

Sec. 1092. Combustible Materials not to be Burned at Night—Penalty.—It shall be unlawful for any person or persons to burn trash, lumber, straw or any combustible substance, between the hours of sunset and sunrise, in any yard, lot, or alley in the City of Atlanta; and any person or persons violating this ordinance shall, upon conviction before the Recorder's Court, be fined not exceeding fifty dollars, or imprisonment for not more than thirty days, either or both, in the discretion of the Court.

Sec. 1093. Blacksmith Shops in Fire Limits Must be Fireproof.—No building shall be used or occupied as a blacksmith shop within the fire limits of this City, unless the same be made fireproof.

Sec. 1094. Stationary Steam Engines—Erected only by Permission—Specifications—Penalty.—It shall not be lawful for any person or persons to erect or run, or cause to be erected or run, any stationary steam engine, of any kind or description, within the fire limits of the City of Atlanta, without first obtaining the consent of the Mayor and General Council thereto; and the application shall contain a complete description of the character and size of the engine proposed to be erected, of the building, in which it will be placed, its position in the building, the distances to surrounding buildings or structures, and the material, of

which they are constructed, and the height, size, and location of the smokestack; and any person violating this ordinance shall be fined, upon conviction in the Recorder's Court, not exceeding one hundred dollars, or be imprisoned not exceeding thirty days.

Sec. 1095. Illuminating Oils—Limit Kept in Building—Permission—Revocation—Penalty for Violation of Ordinance.—It shall not be lawful for any person to keep within the City of Atlanta more than one hundred and seventy-five gallons of kerosene oil, or other oil used for illumination, in any building, unless permission is first granted by the Mayor and General Council. It being provided that any such permission is subject to revocation at any time by the Mayor and General Council. Any person violating this ordinance shall be punished by a fine of not exceeding one hundred dollars, or be imprisoned not more than thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1096. Awnings and Signboards Ordinance Governing—Penalty for Violation.—It shall not be lawful for any person to erect, or have erected, any awning or shed having more wood than is actually necessary to fasten the tin or metal coverings to, in front of any building in said City, within the fire limits, over any sidewalk or street. Any person violating the provisions of this ordinance shall, on conviction in the Recorder's Court, be fined not less than one nor more than one hundred dollars, or imprisoned not more than thirty days, and besides the awning or shed, thus illegally placed or erected, shall be removed by the Marshal, at the expense of the occupant of the premises, or, if none, of the owner..

Sec. 1097. Wood and Lumber Yards to Have Permits—Penalty for Violation.—It shall be unlawful for any person to keep a lumber yard or wood yard within the fire limits of this City, without the consent of the General Council, and any person so offending shall, on conviction in the Recorder's Court, pay a fine of not exceeding one hundred dollars, or be imprisoned not longer than thirty days.

Sec. 1098. Sawing or Cutting Wood on Sidewalks or Streets Unlawful—Penalty.—Any person, or persons, who shall cut or saw wood on the streets or sidewalks within the fire limits shall, on conviction, be fined not exceeding one hundred dollars or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1099. Combustible Matter in Buildings, Cellars, or Yards to be Removed—Inspection by Chief of Fire Department.—No person shall be permitted to place and let remain in any box, barrel or otherwise, in any building, cellar, street, alley-way, or yard within the fire limits, longer than six hours, any loose straw, hay, paper or other combustible matter; and all owners or occupants of buildings or cellars within said limits are hereby required to permit the Chief of the Fire Department, or any member thereof designated by him, or any officer or member of the police force, to inspect their buildings, cellars, and premises, to see if this ordinance is being complied with. And it is hereby made the duty of the Chief of the Fire Department, and of the police force, to make such inspections.

Sec. 1100. Penalty for Violation of Above Section.—Any person or persons violating the provisions of the foregoing section shall be arrested by any officer or member of the police force, and may, on conviction before the Recorder's Court, be fined in a sum not exceeding one hundred dollars, or to work on the street not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1101. Boilers and Furnaces—To Erect Must Have Permit—Certificate.—It shall be unlawful for any person, firm, or corporation to set up any boiler, furnace, or kitchen range (this does not apply to kitchen ranges in private dwellings), without first obtaining a permit for same from the Department of Buildings, and shall not use same until a certificate from said Department has been issued, to the effect that said boiler, furnace or range has been inspected, and is safe from fire.

Sec. 1102.—Restrictions as to Installation of Ranges on Wooden Floors.—It shall be unlawful to install or place or hereafter

have any stove or range, wherein wood or coal is burned, on any wooden floor or floor of combustible material of any kind, unless there is an open space of not less than three inches in depth between the bottom of said stove or range, and the floor underneath as aforesaid, and the said stove or range shall rest on iron legs or cement blocks or bricks or other incombustible material. It shall not be a compliance with this ordinance for said stoves or ranges to include an open space of three or more inches in the bottom of the stoves or ranges for air space. If such stove or range shall have this open space, it shall nevertheless be necessary and required that same shall not rest upon wooden floor or floor of combustible material, unless additional space, as above provided, is secured. Any person, firm or corporation, violating the provisions of this ordinance, shall, on conviction, in the Recorder's Court be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days.

Sec. 1103. Stoves and Ranges Must Have Fireproof Base.—

It shall also be unlawful for any person, firm, or corporation, to use, or have set up for use, any stove or range, which is not placed, and does not set or stand on brick, stone, or other fireproof material, under penalty, in case of conviction, of fine not to exceed one hundred dollars, or imprisonment not to exceed thirty days, or both fine and imprisonment, as aforesaid, in the discretion of the Recorder's Court, for each offense.

Sec. 1104. Notice of Dangerous Structure—Penalty for Failure to Comply.—It shall be the duty of the Chief of the Fire Department to notify any person, who may have any such structure in such condition as to endanger adjacent or surrounding property to fire, to have the same made safe within five days, and on failure of any person having the control or charge of any such structure to have the same made safe accordingly, shall, on conviction thereof in the Recorder's Court, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days for each offense; provided that proof of both, the defective or dangerous condition, as aforesaid, shall be necessary to conviction.

Sec. 1105. No Brick Set Boiler Placed on Wooden Floor.—

It shall be unlawful to support any brick set boiler for the generation of hot water or steam, for heating or power, or to place portable boiler or engine over ten (10) horse power on any wooden or other combustible floor or beams in any building within the City of Atlanta.

Sec. 1106. Other Specifications as to Setting Boilers or Furnaces.—No combustible partition shall be within four (4) feet of the sides and back of the boiler or furnace, or within six (6) feet in front unless said partition is protected with metal at least four (4) feet high from the floor, and, when protected, shall not be less than two (2) feet from the sides and back, and five (5) feet in front of said boiler or furnace. All combustible ceilings over said boilers or furnaces within four (4) feet of the top of same shall be protected with a metal shield suspended two (2) inches from the woodwork. All cold air ducts shall be of metal or brick for at least (8) eight feet distant from the furnace.

Sec. 1107. Smoke Pipes—How Surrounded.—When smoke pipes pass through any wood or plastered stud partition, or furred wall or floor, it shall be surrounded by at least (4) four inches of incombustible material in same manner as specified for stove flues.

Sec. 1108. Boilers Less than Ten Horse Power—How Protected.—Boilers of less than (10) ten horse power and hot air furnaces, when placed on wooden floors or beams, shall have a protection between the floor and the boiler or furnace of not less than (2) two courses of brick laid in mortar, on sheet steel, iron, or zinc, the brick to extend not less than one (1) foot on each side and back, and three (3) feet in front of said boiler or furnace, and the steel, iron, or zinc, must extend one foot beyond the brick all around, on this foundation place bearing brick laid flat with air space between, on which the furnace or boiler shall be placed. All boilers or furnaces shall be provided with suitable ash pans under the fire box, and not less than (8) eight inches below the grate bars.

Sec. 1109. Injuring a Fire Engine, or Other Fire Department Equipment—Penalty.—Any person or persons, who shall wilfully and knowingly injure or damage, in any way or by any means whatever, any engine, hose, hook, ladder, or any other implement, material, or apparatus of any kind, belonging to, connected with, or used by any of the fire companies in the City, as a part of their machinery or material for extinguishing fires, shall, on conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Sec. 1110. Putting Trash in Front of Engine House—Penalty.—Any person or persons, who shall wilfully and knowingly put any trash, or other obstruction, in front of any engine house, or hook and ladder house, in the City, shall, on conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Sec. 1111. Ashes in Houses—How Disposed Of—Inspection.—No person shall be permitted to place within any building in the City of Atlanta ashes in any box, barrel, or other wooden vessel, or upon any wooden vessel or floor, unless the same is immediately removed from the building, and from contact with such building; and all owners or occupants of buildings in this City are required to permit the Chief of the Fire Department, or any officer or member of the police force, to inspect their buildings to see if the above is complied with. And it is hereby made the duty of the Chief of the Fire Department, and of the police force, to make such inspections whenever and wherever they may suspect a violation of the foregoing ordinance.

Sec. 1112. Penalty for Violation.—Any person violating any of the provisions of the foregoing section shall be arrested by, any officer or member of the police force, and may, on conviction, be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both in the discretion of the Recorder's Court.

Sec. 1113. Gasoline, Benzine, etc.—How Kept—Penalty.—It shall be unlawful for any person, firm or corporation to store or keep on hand at any one time, or in any one building under their control, exceeding ten gallons of gasoline, benzine, or naphtha, except in a fireproof building or vault, in which all openings are covered with metal shutters. Any person, firm or corporation violating this ordinance shall, upon conviction, be fined not exceeding two hundred dollars or less, in the discretion of the Recorder's Court.

Sec. 1114. Further Regulations—Oils—How Much Kept—Fireproof Vaults—Penalty.—It shall be unlawful for any person, firm or corporation, to store, or keep on hand at any one time, or in any one building in the City of Atlanta, under their control, exceeding two (2) gallons each (provided said two gallons, or less are kept in an approved metal self-closing can), of gasoline, benzine, or naphtha except in a fireproof building or vault erected for that purpose, in which all openings are covered with metal shutters; said building to be not nearer than twenty-five feet of any other building, and at no time shall more than one hundred and ten (110) gallons be stored in said building, and said gasoline, benzine, or naphtha shall always be kept in a drum used for that purpose, and no delivery shall be made at any time by artificial light, and under no circumstances after sundown of any day. Any person, firm, or corporation, violating this ordinance shall, upon conviction, be fined not exceeding two hundred (\$200.00) dollars, or less, in the discretion of the Recorder's Court. The Mayor and General Council reserve the right to revoke this ordinance at any time it shall become objectionable or dangerous to adjacent property. Provided, that none of the provisions of this ordinance as heretofore amended shall apply to any oil company, or other person, firm or corporation doing wholesale or jobbing business in oils or like products, whose storage tanks are located not nearer than one mile from the center of the City of Atlanta, and provided further that before any such oil company, or other person, firm or corporation shall build any additional tanks for such storage, such company or other person, firm or corporation shall apply to the General Council of the City of Atlanta for permission, and such tanks

shall be erected under specifications approved by the General Council.

Sec. 1115. Limit of Amount of Dynamite—Day and Night.—It shall be unlawful for any person, firm or corporation, to have, store, or keep on hand, in any building, shed or other place, dynamite in quantities exceeding fifty pounds between six o'clock P. M. and six o'clock A. M. within the incorporate limits of the City.

Sec. 1116. Penalty for Violation.—Any person, firm or corporation violating this ordinance shall on conviction before the Recorder's Court be fined not exceeding two hundred dollars, or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1117. Certain Factories within Fire Limits Must Have Permits.—In order to the prevention of fires, and the better protection of property against exposure to danger of destruction by fire, it shall hereafter be unlawful for any person, firm or corporation to open or conduct within the fire limits of the City of Atlanta any factory for the manufacture of brooms, boxes, whether of wood, paper, or other materials, or trunks, or any junk shop, without first having obtained the permission of the Mayor and General Council of said City.

Sec. 1118. Circumstances Surrounding Withholding Permits.—Or Granting Same.—In granting or withholding such permission by the Mayor and General Council, regard shall be had to the question of safety of the business in the building, where it is already located or proposed to be conducted, with reference to the presence or absence of fire walls between such building and the adjacent buildings, and similar safeguards against the spread of fires.

Sec. 1119. Penalty for Violation of Preceding Sections.—A violation of preceding sections shall subject the offender, upon conviction in the Recorder's Court, to a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, for each offense.

Sec. 1120. Chimneys and Parapets to be Kept in Repair—Roofs Clean—Penalty for Neglect.—All owners of buildings or their agents, shall be required to keep in thorough repair all chimneys and parapet walls belonging to their buildings, and keep the roofs entirely free from wood, trash, or combustibles of any kind. And in case of failure of any owner to have such change or repairs made within the time required by notice, he shall, for such failure, be subject to a fine of not exceeding one hundred dollars, and imprisonment not more than thirty days, either or both, in the discretion of the Recorder's Court, and five dollars per day thereafter until the above ordinance is complied with.

Sec. 1121. Notice of Construction, Etc.—Flues in Houses—Empty Boxes and Barrels—Penalties.—All owners, contractors, or builders of houses in the City of Atlanta shall be required to notify the Chief of the Fire Department or Fire Inspector at the proper time of any buildings they are constructing, so that they can be properly inspected. And in case of any owner, contractor, or builder failing to comply with the above ordinance, upon conviction before the Recorder, he shall be fined not exceeding one hundred dollars, or thirty days' imprisonment, or both, in the discretion of the Court. It shall be unlawful for any person or persons to place and let remain longer than six hours, in any alleyway, opening, or within thirty feet of any building, empty boxes, barrels, or other combustible material. And in case of any person or persons failing to comply with the above ordinance, upon conviction before the Recorder's Court, they shall be fined not exceeding one hundred dollars, or thirty days' imprisonment, either or both, in the discretion of the Court, and one dollar per day until said combustibles are removed.

Sec. 1122. Regulations in Case of Fire at Fire Grounds—Penalties.—No person or persons, except firemen, the Mayor and General Council, the police force, the owners of the property, their agents, and the agents of insurance companies, shall be allowed within the immediate vicinity of any fire, without being ordered there by the officer in command of the Fire Department; and in case any person or persons shall refuse to obey the

orders and directions of such officer, he, she, or they shall be arrested, and, on conviction, be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1123. Thieves at Fires—By Whom Arrested.—The officer in command of the Fire Department at the fire shall arrest, or cause to be arrested by the police of the City, any person or persons, who shall be caught stealing goods, or any other articles of value, from any store or other house at or in the vicinity of the fire.

Sec. 1124. Hotels, Apartments or Rooming Houses over Four Stories—Fire-proof.—From and after the passage of this ordinance all buildings hereafter erected that are not now in the course of erection, used as hotels, apartments, or rooming houses that exceed four (4) stories in height shall be of fire proof construction, the same to apply to buildings now equipped or used for the above purposes.

Sec. 1125. Outer Walls—Material.—The outer walls shall be brick, stone or concrete, if bearing walls and if on skeleton construction where the internal strain or load are transmitted from the top of the building to the foundation by a skeleton or frame work of metal, other lighter material may be used for the outer walls, provided it be of a non-combustible material.

Sec. 1126. Beams, Columns, Bolts.—All beams, columns, girders or lintels shall be of iron and steel, and to be riveted or bolted to each other at their respective junction points.

Sec. 1127. Casing for Iron and Steel.—All iron or steel shall be encased with at least four inches of hollow tile or terra cotta, the hollow place to be not less than three-fourths of an inch. The tops of beams or girders where wood floors are used may be encased with two inches of tile or terra cotta with a coating of cinder concrete on top of tile or terra cotta at least two inches thick.

Sec. 1128. Partitions Incombustible.—All partitions shall be of incombustible material either of concrete tile, terra cotta or other equally fire-proof material, all partitions shall be supported by steel construction or fire-proof floor arches, no wooden floors shall intervene between in such partitions and its support.

Sec. 1129. Stairs Fire-Proof.—Stairs shall be built either of approved concrete, metal or stone or a combination of the above materials.

Sec. 1130. Roofs, Incombustible.—The roofs to be entirely of non-combustible material.

Sec. 1131. Doors, Window-Frames, Sash, Wood.—Door and window-frames, also doors and sash may be of wood.

Sec. 1132. Penalty.—Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction before the Recorder be fined not more than \$100.00 or imprisoned thirty days, either or both, in the discretion of the Recorder.

CHAPTER XLVIII.

GAMES OF CHANCE, TURF EXCHANGES, ETC.

Sec. 1133. Use of Wheels, Etc. with Element of Chance to Attract Trade Prohibited.—It shall be unlawful for any person, firm or corporation to conduct or carry on any business in the City of Atlanta by means of any wheel or similar device, in which the elements of chance are used for the purpose of attracting trade.

Sec. 1134. Penalty for Violation.—Any person, firm or corporation, convicted in the Recorder's Court of the City of Atlanta, of a violation of the above section, shall be punished by a fine not to exceed one hundred dollars, or by imprisonment not to exceed thirty days, either or both of these punishments in the discretion of the Recorder's Court.

Sec. 1135. No Office, where Betting on Horse Races Is Engaged In, Is Allowed.—It shall be unlawful for any person, firm or corporation, agent or employee thereof, to maintain or carry on any office, or place of business, or to have the space or portion of the office, store or place of business, of another, or to maintain a place or point of meeting, in which any person or persons is or are allowed to bet or offer to bet, or place an order for a bet, or telegraph or take a bet, on horse races, boat races, bicycle races, or any other kind or description of race, whether such race is to be run in the City of Atlanta or any place outside of said City.

Sec. 1136. Penalty for Vioaltion.—Any person, firm or corporation, convicted of a violation of the above section in the Recorder's Court of said City, shall be subject to punishment by fine not to exceed five hundred dollars, or imprisonment not exceeding thirty days, either or both, at the discretion of the Recorder's Court.

Sec. 1137. No Turf Exchange License to be Issued—Penalty for Pool Selling.—No Turf Exchange license shall be hereafter issued, and no permit granted for the sale of pools of any kind. Any person running a Turf Exchange or selling pools of any kind in the City after expiration of all licenses heretofore granted, shall be guilty of a misdemeanor, and on conviction before the Recorder's Court, shall be subject to a fine not exceeding five hundred dollars, or sentenced to the City chaingang for a period not exceeding thirty days, one or both, in the discretion of the Court.

CHAPTER XLIX.

HACKS, DRAYS AND TRANSFER WAGONS.

Sec. 1138. Licenses for Drays—Wagons—Shall be Obtained.

—Any person having or using a dray, wagon, or other vehicle in the City of Atlanta, drawn by a horse or horses, or other animal or animals, for transporting persons, goods, wares or merchandise, or any other thing or things, to or from the depots, or other place or places in said City, for hire, shall first apply to the Clerk of Council, and obtain a license. And for any vehicle drawn by one horse or other animal, or by two horses or other animals, shall pay the price of license fixed by the annual tax ordinance.

Sec. 1139. Licensed Draymen Only Can Dray—Penalty for Violation.—Any person, who shall carry persons, or haul, or dray for hire, without having first obtained a license, as stated in the preceding section shall, upon conviction under this ordinance, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned in the stationhouse not over thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1140. Penalty for Refusal to Haul.—Any person having and using a license dray, or other vehicle, who shall, through ill-will or obstinacy, or without sufficient cause, refuse to dray, haul, or carry, when money is tendered, when requested by any person, shall, on conviction, be subject to a fine of not exceeding one hundred dollars and costs, or imprisoned as in last section, or both, in the discretion of the Recorder's Court.

Sec. 1141. Penalty for Employing Unlicensed Draymen.—Any merchant, or other person, who shall knowingly employ any drayman, with any team of horses, or other animals, or horse, or other animal, and vehicle or carriage, to haul or convey any

goods, wares or merchandise, or other thing or things, to or from any place in the City of Atlanta, for which there is no license, shall, upon conviction before the Recorder's Court of so doing, be fined in a sum not exceeding one hundred dollars and costs.

Sec. 1142. Rates of Charge by Drays.—No person having or using a licensed dray shall charge or collect more than the following rates, to-wit: For each hogshead of molasses, \$1.00; for each hogshead of sugar, 75 cents. Flour, meal, bacon and all kinds of grain, fresh meats of all kinds, salted or otherwise, lard, and all other articles of merchandise and provisions, or other articles, per load of eighteen hundred pounds, and bulk freight, that can be safely transported, 25 cents. For a one-horse dray, or other animal dray load of nine hundred pounds, or bulk freight, that can be conveniently carried, 15 cents. For all parts of loads and small articles charges may be made in proportion—no charge, however, required to be less than 25 cents, unless otherwise agreed on—a copy of which rates shall be put on each license when issued by the Clerk, and rates may be changed at any time by a resolution to that effect.

Sec. 1143. Baggage Transfer—Charges—Penalty for Violation.—All persons in the business of transferring baggage—hacks, drays and all other vehicles—shall be restricted in their charges to the sum of not over twenty-five cents for each trunk, valise, or other article of baggage carried to or from the passenger depot to any point within the limits of the City of Atlanta. Any person convicted in the Recorder's Court of violating this ordinance shall be fined not exceeding one hundred dollars, or imprisoned not more than thirty days.

Sec. 1144. Penalty for Driving in a Boisterous or Dangerous Manner.—If any driver of such vehicle, or any drayman, shall drive in a rude, boisterous, disorderly, dangerous, or hurtful manner, or in such a manner as to put any person in fear of bodily hurt, or shall cause bodily hurt or damage to the property of any person, he shall, on conviction, be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned in the

stationhouse or jail not over thirty days, or both, at the discretion of the Recorder's Court.

Sec. 1145. Vehicles Standing in Streets Unlawful—Penalty if Team Runs Away.—No drayman or driver of any vehicle shall allow his dray, vehicle, or team to stand in a public street, and if through his carelessness or neglect his team runs away, he may, on conviction thereof, be made to pay fine of not exceeding one hundred dollars and costs, or be imprisoned not over thirty days, in the discretion of the Recorder's Court.

Sec. 1146. Hack and Dray Licenses to be Numbered—Penalty for Failure to Display the Number.—Each hack and dray license shall have a number thereon, and the drayman or owner shall keep that number on his hack, or dray, and for failure so to do, may be fined five hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court.

Sec. 1147. Prices Hack-Drivers May Charge.—It shall not be lawful for any person or persons engaged in driving a public hack, or carriage for similar service, within the limits of the City of Atlanta, to charge more than the following prices:

By Distance, day rate: One and a half miles, each person, twenty-five cents; each additional half mile or less, for each person, ten cents.

Night Rate: One and a half miles, each person, fifty cents; each additional half mile or less, each person, 20 cents.

By the Hour: One or more persons, first hour, \$1.00; each additional half hour, or fraction thereof, 50 cents. No hack shall be driven by the time rate at a pace less than five miles an hour.

The distances herein referred to shall be measured in an air line from starting point to destination.

No charge shall be made for children under five years of age.

No charge shall be made for hand baggage not exceeding fifty pounds in weight.

The night rate herein provided for shall be charged only between the hours of 11:30 P. M. and 5:00 A. M., provided, how-

ever, that said night rate shall not apply for transporting passengers from any depot to any hotel, from any hotel to any depot, or from depot to depot. When the hiring of a public hack is not at the time specified to be by the hour, it shall be deemed to be by distance, and for any detention exceeding ten minutes the owner or hackman may demand an additional compensation at the rate of fifteen cents for each fifteen minutes or fraction thereof, but no charge shall be made for one stop not exceeding five minutes.

Sec. 1148. Shall Post in Hack Under Glass Map of Atlanta.—All persons, owning, controlling, or operating public hacks or carriages shall post in a conspicuous place inside each hack operated either on the front, back, or sides thereof, and framed under glass, a map of the City of Atlanta, showing the true location of half mile circles drawn in succession from the center thereof, and there shall be printed on said map a schedule of the prices or rates herein provided. Said printed schedule and map to be furnished by the Clerk of the Council upon issuance of license, and the same shall be posted during the continuance of said license.

Sec. 1149. Penalty for Violation of Above Provisions.—Any person violating any of the provisions of preceding sections, on conviction in the Recorder's Court, shall be fined not less than \$10, nor more than \$100; or imprisoned not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1150. Penalty for Refusing to Pay Hack Hire.—Any person or persons engaging or using a hack in this City, not intending to pay for the same at the time such hack is engaged, but with intent to defraud the owner or driver of such hack out of the value of the use thereof (and every employment of such hack shall be held to be for cash unless time is contracted for, when the engagement is made), and shall fail or refuse to pay such driver his lawful hire at the end of the trip or time, for which such employment was made, shall be arrested or summoned by any police officer or policeman to appear before the

Recorder's Court to answer a charge of violating this section of the City Code, and on conviction before His Honor, the Recorder, Mayor, or Mayor pro tem., shall be fined not exceeding twenty-five dollars (\$25.00) or imprisoned not exceeding thirty days, or both, in the discretion of the Court.

Sec. 1151. Hacks to Have Lamps and Tags—Penalty for Violation.—All persons owning or controlling hacks in the City shall keep upon said hacks suitable lamps, with the number of said hack painted thereon, and shall keep said lamps lighted at night, and shall also have tag furnished by the Clerk of Council carrying a number corresponding with the number of said hack fastened to said hack in such position as to be easily seen. Any person violating this ordinance, shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not longer than thirty days.

Sec. 1152. No License Granted to Persons Under Eighteen Years of Age.—Hereafter no license shall be granted to run a hack upon the streets of the City to any person under eighteen years of age, nor shall any hack be left by any person owning or controlling the same for any period of time in control of a person under said age; nor shall any such person refuse to haul a passenger, when not otherwise engaged, under the penalty provided in Section 1140 of this Code.

Sec. 1153. Chief of Police Must Certify Hack Is Safe—Person of Proper Age.—No license for a hack shall be issued unless the applicant presents to the Clerk of Council a certificate from the Chief of Police that the vehicle and team, which the applicant proposes to use, are such as will be creditable and safe, and that the driver is of proper age.

Sec. 1154. Shall Post Schedule of Prices in Hack—Penalty for Violation.—All persons owning and controlling hacks shall post in a conspicuous place in said hack a printed schedule of prices, to be furnished by Clerk of Council upon the issuance of license, and keep the same so posted during the continuance of said license. Any person controlling any hack, who shall vio-

late this or the preceding section, shall, upon conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisoned not longer than thirty days.

Sec. 1155. Rendezvous for Hacks—Chief of Police Designates.—It shall be the duty of the Chief of Police to designate some central and convenient place in the City of Atlanta as a general rendezvous for all hacks kept and run for hire, and said officer may, from time to time in his discretion, change said rendezvous.

Sec. 1156. Can Only Occupy Such Rendezvous—Penalty.—It shall be unlawful for any hackman to occupy any other place than the one designated as a place of rendezvous, and upon the violation of the provisions of this ordinance, the offender shall upon conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisoned not longer than thirty days.

Sec. 1157. Restrictions as to Drivers.—It shall be unlawful for any hackman or driver of any public vehicle to leave said vehicle except to assist passengers to and from his vehicle; provided, however, said driver can leave the vehicle, if he continues to hold the reins in his hands. Upon conviction of violation of this ordinance the party so offending shall be fined not less than one nor more than ten dollars, in the discretion of the Recorder's Court.

Sec. 1158. Hacks—How Placed Near Passenger Depot.—Public or licensed hacks in use about the Union Passenger Depot shall hereafter be placed by the drivers, or persons in charge thereof, in such positions that the back end of each hack shall be next the sidewalk, between the main entrance to said Union Passenger Depot and Pryor Street, leaving the space between the main entrance and Loyd Street (now Central Avenue) open for the use of omnibuses, and other similar vehicles, which shall be arranged on that portion of the street in the same manner as is provided for hacks in this ordinance, with space enough left between the hacks for passengers to conveniently get in and out

of any one of the hacks, and the driver of each hack, when not on his hack, shall stand on the sidewalk immediately in the rear of the hack, so as not to obstruct other persons desiring to use the sidewalk.

Sec. 1159. Open Space in Line of Hacks—Where Left—Vicinity of Union Passenger Depot.—In forming the line of hacks in front of the Union Passenger Depot, a space ten feet wide shall be left open and unobstructed by any part of said line of hacks in front of each of the offices or entrances to said Union Passenger Depot, except the main entrance, where a space twenty feet wide shall be left open and unobstructed by any part of said line of hacks. In forming the line of hacks along Wall Street on the front of the Kimball House, openings at least ten feet wide shall be left in front of the entrance to that building, so as to be unobstructed by any part of said line of hacks.

Sec. 1160. Hackmen and Others—Cannot Congregate on Sidewalk to Solicit.—It shall be the duty of hackmen, or other parties in charge of hacks, to remain on or at their said hacks, and in no event shall they be allowed to congregate on the sidewalk in front of said Union Passenger Depot, or of the Kimball House, or to go upon said sidewalks for the purpose of soliciting patronage, nor shall hotel porters, ticket scalpers, or men or boys engaged in transferring baggage, by hand or otherwise, congregate or go upon such sidewalks for the purpose of soliciting patronage.

Sec. 1161. Porters Shall Not Yell at Passengers.—Porters for hotels shall stand in line by or under authority of the Chief of Police to receive baggage tendered them, but it shall be unlawful for them to yell at passengers, or loudly call out the names of the hotels they are acting for.

Sec. 1162. Penalty for Violation of Above Provisions.—Any person, for a violation of the foregoing provisions, shall, upon conviction be subject to a fine of not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1163. No Drumming Under Car-Shed for Passengers by Hackmen or Others.—There shall be no drumming for passengers by hackmen, or other persons, under the carshed in this City, to ride in cabs, hacks, gurneys, hansom or other public vehicles. It shall be unlawful for any person to sell tickets to passengers under the carshed in this City, to ride in hacks, cabs, gurneys, hansom, or other public vehicles, or to make a contract with the passengers under the carshed for transportation therein, and then show passengers to vehicle outside the depot.

Sec. 1164. Shall Not Board Trains to Solicit.—It shall be unlawful for any person or persons, his or their agents or employees, interested in the running of cabs, hacks, gurneys, hansom, or other public vehicles in this City, to board trains under the carshed for the purpose of drumming with passengers to engage or hire certain hacks, cabs, hansom, gurneys, or other public vehicles, or while on the trains under the carshed to do so.

Sec. 1165. Penalty for Violation.—Any person or persons, his or their agents or employees, violating any of the foregoing provisions, on conviction thereof in the Recorder's Court, shall pay a fine not to exceed one hundred dollars, or be imprisoned not to exceed thirty days, either or both, in the discretion of the Court.

Sec. 1166. Chief of Police to Issue Permits to Hack Drivers—Requisites—Authority to Cancel.—No person shall be allowed to drive a hack unless having been given a permit by the Chief of Police, and said Chief shall issue permits only to such persons as can show a good character, and said Chief shall have authority at any time to cancel said permits, if the person holding same has been guilty of such misconduct as unfits him for that kind of work.

Sec. 1167. Numbers to be Displayed on Lamps.—Every person owning a hack shall have large figures conspicuously placed on the glass surrounding his lamp.

Sec. 1168. Hackman Wears Badge Displaying Number of Cab.—Each hackman shall wear a badge in a conspicuous place, having upon it the number of the cab, of which he is in charge.

Sec. 1169. Substitutes Not Allowed Without Permit from Chief of Police.—Drivers of hacks, meaning by this hackmen, shall not permit any person to take charge of their hack unless such person has a permit to run a hack from the Chief of Police, or unless permission to place a substitute has been granted him by the police officer on duty at the depot.

Sec. 1170. Chief to Keep Record of Permits.—The Chief of Police shall keep a record at the police headquarters of all permits granted under this ordinance, and of any cancellations thereof.

Sec. 1171. Penalty for Violation.—Any person violating any of the provisions of Sections 1166, 1167, 1168, 1169 or 1170 shall be fined not less than one dollar nor more than one hundred dollars, or imprisoned for a term not exceeding twenty days, in the discretion of the Recorder's Court.

Sec. 1172. Unlawful to Run Hacks Without Inside Knobs. It shall be unlawful for any hackman or driver of any vehicle for the transportation of the public, to have, use or offer to the public, any hack, or other vehicle, having doors thereto with no knob, handle, or other means, by which the passenger might open the door from the inside.

Sec. 1173. Hacks Must Be Kept in Repair—Clean—Healthful.—All hacks, cabs and similar vehicles for the transportation of the public, must be well built, and kept in good repair so as to safely and comfortably convey their patrons. Said hacks shall be kept in clean and healthful condition.

Sec. 1174. No Sick Horses Allowed—Harness in Good Repair.—The hack or cab horses shall be kept in good condition, and no sick, feeble, or injured horses shall be used for this pur-

pose. Their harness must be safe and strong, and kept clean and in good repair.

Sec. 1175. Drivers Shall Deport Themselves in Proper Manner.—The drivers must be sober and polite, and are hereby prohibited from using offensive language, or deporting themselves in an insulting or improper manner toward their patrons, either within or near their hacks or cabs. Said drivers shall not appear in indecent or offensive dress, but shall only use clean and proper apparel.

Sec. 1176. Penalty for Violation.—All and every person violating the provisions of the foregoing provisions shall on conviction in the Recorder's Court be fined not exceeding One Hundred Dollars, or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1177. Licenses Issued Under Conditions—Power of Revocation—By Whom.—No license shall be issued for hacks or cabs unless the applicant shall comply with the foregoing regulations, and shall present a certificate to that effect signed by the Chief of Police, and the Chairman of the Committee on Freight Rates and Transportation. Further, this officer and this Committee shall have the right and power at any time to summon the hack or cab drivers, with their horses, harness and hacks before them, and, if they find that the provisions of Sections 1173 and 1174 of this Code have been violated, it shall be within their power and province to cancel the license already issued therefor, and to order the return of a sum of money equal to the pro rata part of the unused or cancelled license. This shall be paid from Department of Tax on voucher drawn by Chairman of Tax Committee.

Sec. 1178. Speed Over Whitehall Street Viaduct Not Exceeding Three Miles per Hour.—No driver, owner, or other person operating, controlling, or in charge of vehicles, bicycles, automobiles, locomobiles, street cars, or other carriages shall run, operate or move same over the Whitehall Street Viaduct, or the approaches thereto as follows, to-wit: extending North on Peach-

tree Street as far as its intersection with Edgewood Avenue, and extending on the South along Whitehall Street to and beyond its intersection with Alabama Street, including the entire area of this crossing, at a speed greater than a slow walk, not exceeding three miles per hour.

Sec. 1179. Penalty for Violation.—Any driver, owner, or other person running, operating, or otherwise controlling the vehicles mentioned in preceding sections, who shall violate the terms thereof, or any part thereof, or any part of same, shall on conviction in the Recorder's Court of the City of Atlanta be fined not exceeding \$200.00 or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1180. Prohibition of Gongs on Wagons.—All wagons and other vehicles using the streets of the City of Atlanta are hereby prohibited from using gongs to signal their approach, except the machines of the Fire Department, the Police patrol wagon, the hospital ambulance, and the cars of the various street railroad companies.

Sec. 1181. Licenses for Drays—Tags on Drays, etc.—All persons or firms engaged in hauling "free store delivery" or competitive freight from railroad depots to the doors of the merchants and others in the City of Atlanta, and in transferring articles of freight or other things between railroad depots, under a contract or contracts, and under bond with a railroad company or companies, and who receive no compensation therefor, from any person whatever, except from a railroad company or companies, shall be allowed to operate all such drays or vehicles as shall be used exclusively in said business and in no other business, under a license now provided by the City's ordinances, to be issued by the City to contractors at large, and clerk's fee of fifty cents; provided that for each dray or other vehicle used in any but the above mentioned, or some other business, that under the City's laws and customs falls within the business of contractors at large, all such persons shall pay such a license as is or may be required of other draymen, and shall be required to

use tags on drays or other vehicles used in business other than that of contractors at large as other draymen.

Sec. 1182. Rendezvous for Drays and Hacks—Not on Broad Street Near Bridge—Chief of Police Regulates.—It shall be unlawful for wagons to congregate on Broad Street between the bridge and Alabama street, and any person or persons, who shall fail or refuse to move their wagon or wagons after having been notified to do so by any member of the police force, or the Chief of the Fire Department, shall, upon conviction before the Recorder's Court, pay a fine of not more than twenty-five dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1183. Chief of Police Designates Rendezvous for Furniture Wagons and Drays—Regulation.—It shall be the duty of the Chief of Police to designate central and convenient places in the City of Atlanta as rendezvous for all furniture wagons and all drays kept and run for hire, and said officer may from time to time, in his discretion, change said places of rendezvous, and shall designate such place with a view to the least interference with business of such wagon and drays, and business interest of merchants and others. In designating such places of rendezvous said officer shall not allow more than four of any such vehicles to occupy as rendezvous one block of the same street, and these shall be far enough apart to admit of passage of vehicles and pedestrians between each such dray or wagon on each side thereof.

Sec. 1184. Penalty for Violation.—It shall be unlawful for any drayman or wagoner, as aforesaid, to occupy as a rendezvous any other place than the one designated for him as aforesaid, and any person violating any of the provisions of the foregoing ordinance shall, on conviction thereof in the Recorder's Court, be fined in a sum not exceeding one hundred dollars, or imprisoned at labor not exceeding thirty days.

Sec. 1185. While at Rendezvous, Drivers Stay on Wagons.—While the furniture wagons are at said rendezvous, the drivers and helpers shall stay on their wagons.

Sec. 1186. Turf or Sand—Cannot Haul without Permit from Owner of Land—Penalty.—Any person hauling or removing any grass, turf or sand in the City, without having a written permit from the owner of the land (or his agent), from which said grass, turf, or sand was taken, shall, on conviction thereof, be fined not more than one hundred dollars, or imprisonment in the chaingang for not more than thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1187. Fire in Any Wagon Forbidden—Penalty.—No person shall make or light any fire in any wagon or vehicle in said City in any pan or open vessel of any sort. Any person violating this ordinance shall be subject, upon conviction in the Recorder's Court, to a fine of not more than one hundred dollars, nor less than one dollar.

Sec. 1188. No Wagon Driver to Leave Horses Unhitched.—It shall be unlawful for the driver of any dray, wagon, or other similar vehicle, to leave same in a street without hitching the horse, or without the driver being present, but such driver shall take such precaution as may be necessary to prevent injury.

Sec. 1189. Regulation of Traffic of Drays on Whitehall and Peachtree Streets.—It shall be unlawful for any driver of a dray, wagon, or draft vehicle, to travel on Whitehall Street from its intersection with Trinity Avenue to its junction with Peachtree Street, and on Peachtree Street from its junction with Whitehall Street to Houston Street, unless such driver has a load to deliver or receive from a store or place of business on Whitehall Street or on Peachtree Street between Trinity Avenue and Houston Street.

Sec. 1190. Penalty for Second Violation.—Any driver of any dray, wagon, or draft vehicle described in Section 1 of this ordinance, who for a second time violates the provisions thereof, shall, upon conviction by the Recorder, be punished by a fine of not less than one (\$1.00) dollar, nor more than one hundred (\$100.00) dollars, or imprisonment for not exceeding thirty days, either or both in the discretion of the Recorder.

Sec. 1191. Moving—Transfer Companies and Draymen to Make Reports—Cards for—Marshal.—It shall be unlawful for any storage or transfer company, licensed dray, moving van or similar moving companies, to move persons from one locality to another within the City limits without daily reporting said removals to the City Marshal. It shall be the duty, to carry out this ordinance, of the City Marshal to supply said storage and transfer companies, moving vans, licensed drays, etc., with a properly indexed card, giving the date of the removal, the name of parties removing, the street and house number from which moved, and the street and house number into which said persons are moved; and, if moved out of the City, note that fact on the card; also, the name of the company or drayman making the transfer. These blanks must be properly filled in and mailed or sent to the City Marshal within twenty-four hours after the removal.

Sec. 1192. Marshal Keeps Loose-leaf Book of Transfers—Daily Reports—Open to Public.—The City Marshal is hereby directed to have prepared a suitable loose-leaf book, so that said removal can be listed alphabetically in said ledger, and notices of removal sent to him daily shall be properly recorded therein, and said ledger shall be kept open for inspection by the general public.

Sec. 1193. Penalty.—For any violation of the above ordinance, the offender shall be fined an amount not exceeding \$25.00 or sentenced to work on the streets and public places for not more than thirty days, one or both sentences to be inflicted in the discretion of the Recorder.

CHAPTER L

HEALTH—SANITARY DEPARTMENT—BOARD OF
HEALTH.

Sec. 1194. Board of Health—How Composed.—The Board of Health shall consist of a member from each of the wards of the City to be elected by the Mayor and General Council on the first Monday of each year, as vacancies occur, to serve for three years, and each ward in the City shall be represented on said Board; that is, one member shall be chosen from the residents of each of the wards, and no two residents of the same ward shall at any time be eligible or serve as elective members of said Board.

Sec. 1195. Members of Board of Health—Elective—Ex Officio.—Said Board shall consist of said elective members, the Mayor, and the Chairman of the Committee on Sanitary, the Mayor and said Chairman being members ex-officio of said Board.

Sec. 1196. Powers of Board of Health.—They shall have full power and authority to require the owner or any occupant of a lot in the City to remove or remedy anything on said lot, which, in the opinion of the Board, may endanger the public health, and on failure of the owner or occupant to remove or remedy the same, the Board shall direct the Chief Sanitary Inspector to do so at the cost of said owner or occupant; or if the occupant has but lately come into possession, and the same has not been placed there by him, or any member of his family, or by his permission, order or direction, then it shall be removed at the cost of the prior occupant; and if not to be found, then at the cost of the owner of the lot; and it shall be the duty of the said Board to make such suggestions as they may deem advisable to the Council to preserve the public health.

Sec. 1197. Clerk of the Board of Health—Keeps Records and Accounts of Department of Health and Sanitation—Vital Statistics.—There shall be an officer known as the Clerk of the Board of Health, whose duty shall be to keep the records of the Health and Department of Sanitary, and also the vital statistics provided for by existing ordinances. He shall likewise keep the accounts of the Department of Sanitary, and the Department of Health, and generally do the clerical work of both of said Departments, and discharge such other duties as the Board of Health may prescribe from time to time.

Sec. 1198. Clerk Elected by Board—Serves at their Pleasure—Salary.—The said Clerk shall be elected by the Board of Health, and serve at their pleasure. The salary of said officer shall be \$100.00 per month, and shall be paid from the apportionment to the Board of Health.

Sec. 1199. Board Presents Estimate of Probable Receipts and Disbursements—Council Appropriates.—They shall present to the Mayor and General Council in January of each year an estimate, showing what appropriation is necessary for the Sanitary Department for the year, and amount of probable receipts from assessments on lots and lot owners for the same time. The General Council shall then appropriate such an amount for the use of the Board of Health as the income of the City will authorize for the year.

Sec. 1200. Accounts—How Approved.—The Board shall, by such officers as it may designate, audit and approve all accounts made by it, and the pay-rolls of its employees, and, after the same have been approved by the Sanitary Committee, they shall be presented to the Comptroller of the City.

Sec. 1201. Annual Reports to General Council.—They shall, at the end of each year, report to the General Council the amount of all expenditures, and for what purpose made, together with such other matter and suggestions as they may deem appropriate.

Sec. 1202. Board Elect Chief of Sanitary Department—Term. The Board of Health are hereby required to elect the Chief Inspector of the Sanitary Department the first regular meeting of the Board of Health in July, 1897, and each two years thereafter, and the term of said Chief shall be for a term of two years, subject to dismissal for cause without claims for full two years' pay, or for any pay after dismissal. In case of vacancy, the election shall be for the unexpired term.

Sec. 1203. Salary of Chief Fixed by Mayor and General Council—Wages of Inspectors Fixed by Board of Health.—The salary of the Chief of the Sanitary Department shall be fixed by the Mayor and General Council. The wages of the Sanitary Inspectors shall be fixed by the Board of Health by the month, and shall be paid monthly. They shall appoint such number of Sanitary Inspectors as they may deem necessary, and shall fix their compensation at not exceeding seventy-five dollars per month each, which shall be paid out of the amount appropriated for sanitary purposes.

Sec. 1204. Secretary Board of Health—Report Sales and Inspections to Comptroller.—The Secretary of the Board of Health shall report to the Comptroller all inspections of second-hand clothing, sales of fertilizers, etc., made in that department, and the same shall be charged by the Comptroller to the Chief Inspector, who shall deposit such sums with the City Tax Collector, and receive credit upon presentation of his receipts.

Sec. 1205. Powers and Duties of Inspectors—Oath of Office.—Such Inspectors shall be special policemen—shall be authorized to make arrests for violations of City ordinances, and shall conform to such rules and regulations as shall be from time to time established by the Board of Health. They shall take the oath required of regular policemen.

Sec. 1206. Examinations of Premises by Sanitary Inspectors.—It is hereby made the duty of Sanitary Inspectors to make frequent examinations (more especially in the Spring, Summer, and Fall months), into the condition of the lots, yards, and premises of citizens to see if they are kept in a clean and healthy

state, and if they shall find anything which may become a nuisance, they shall notify the person or persons, on whose premises the same may be found, to remove the same in six hours, and on failure or refusal on their part to do so, shall be proceeded against in the manner prescribed in Section 1256.

Sec. 1207. Further Duties as to Garbage and Excrement.—It shall be the duty further of the Sanitary Inspectors to see that all sweepings and garbage within the sanitary limits are removed to some suitable place to be designated and approved by the Sanitary Department, and that the excrement from all privies and closets not connected with the waterworks, within said limits, shall be likewise removed, by garbage and night-soil carts, which shall be provided by the Sanitary Department.

Sec. 1208. Night Superintendent of Wagons and Sweeping. The Board of Health are hereby authorized and empowered to create the position of "Night Superintendent of Wagons and Sweeping," and to pay to such officer a salary of one hundred dollars per month, such salary to be paid from the regular apportionment to Department of Health; provided that no additional inspector shall be employed by reason of this ordinance.

Sec. 1209. Carcasses—How Removed.—Whenever the Chief of Police or Sanitary Inspectors shall be informed of any dead horse, mule, cow, or other animal being within the incorporate limits of the City of Atlanta, he or they shall cause said carcass to be removed beyond said limits, and then properly buried or disposed of so as not to create a nuisance, and any person or persons other than those employed, who shall remove the carcass of any such animal, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Court; provided, the owner or his authorized agent may remove such carcass from the City under the direction of a Sanitary Inspector.

Sec. 1210. Removal of Dead Animals.—The Board of Health of the City of Atlanta is hereby authorized to contract for the removal of all dead carcasses of animals, such as horses, mules,

and cattle, from within the corporate limits of the City of Atlanta, and to authorize said contractor to charge for and collect from the owners of such dead carcasses not more than one dollar per head, and such contract to run not exceeding three years, on the following conditions :

Sec. 1211. City Not Liable for Expense.—The City of Atlanta is to be in no event liable for the expense of removing any such carcass or carcasses by said contractor.

Sec. 1212. Contractor to Give Bond—Security.—Said contractor to give bond, with good security, to be judged of by the Mayor and Chairman of the Board of Health, in the sum of five hundred dollars, conditioned for the faithful performance of said contract, and to hold the City of Atlanta harmless on account of suits for damage on account of the removal, or disposition of such carcasses. Additional security to be given whenever required by the City of Atlanta.

Sec. 1213. Contractor to Respect Owners' Rights.—The right of the owner to remove the carcass of any animal, which carcass is of value to such owner, must be recognized by such contractor.

Sec. 1214. Carcasses to be Removed Outside of City Limits.—Such carcasses to be removed, whether by the owner or the contractor, to such land or place outside the City limits as shall be designated from time to time by the Board of Health, or the Sanitary Inspectors acting for said Board.

Sec. 1215. Owner to Give Notice within Three Hours after Discovery of Death.—It shall be the duty of any person owning any such animals as is described in Section 1209, or any person on whose premises any such animal should die or be found dead, to notify the Sanitary Inspector of the district, wherein such dead animals may be found, or the Chief Sanitary Inspector's office, or the location of such dead animals in order to its removal by such contractor, within three hours after its death, or the discovery thereof, unless such owner within that time re-

move or cause, or procure the removal of such carcass to the place designated by the Board or Inspectors, as herein provided for.

Sec. 1216. Vehicles and Appliances for Removal—Contractor Furnishes.—It shall be the duty of the Contractors aforesaid after entering such contract as is herein authorized, to provide neat and proper vehicles and appliances for the removal of such carcasses without offense to persons living or passing along the routes or ways traveled in the removal of such carcasses. And the Board of Health shall have power at all times to regulate the removal of such carcasses.

Sec. 1217. Small Animals—Removal.—The Board of Health is authorized to make such further contract with said contractors for the delivery to them at the City dumping grounds of the carcasses of small animals like sheep, dogs, etc. as to such Board may seem advisable, and to change said contract from time to time, in the discretion of said Board.

Sec. 1218. Regulations as to Burying Dead Animals.—It shall be unlawful to bury the body of any dead horse, cow, or other animal upon the ground belonging to the City known as the "dumping ground," unless said animal died within the limits of the City of Atlanta, and it shall be unlawful to bury upon said ground the bodies of such animals as have died without the limits of the City of Atlanta.

Sec. 1219. Penalty for Violation.—Any person, firm, or corporation violating the provisions of preceding Sections shall on conviction in the Recorder's Court be fined not exceeding one hundred (\$100.00) dollars, or imprisoned not exceeding thirty (30) days, one or both penalties to be inflicted within the discretion of the Recorder.

Sec. 1220. Contagious Diseases—Physicians to Report Promptly.—It shall be the duty of every hotel keeper, boarding-house keeper, and other citizens within this City, to give immediate notice to the Board of Health of any case of contagious or

infectious disease of a dangerous character, such as small-pox, cholera, diphtheria, membranous croup, measles, typhoid fever, typhus fever, scarlet fever, yellow fever, and such other diseases as may be publicly declared by the Board of Health to be contagious or infectious which may occur in his or her hotel, boarding-house, or other dwelling, and, if any hotel keeper, boarding-house keeper, or other citizens, shall fail or neglect to report, as aforesaid any and all such cases of said diseases as may occur or be at their hotel, boarding house, or place of dwelling, each and every offender shall, on conviction, be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court. It shall likewise be the duty of the attending physician to give immediate notice to the Board of Health of any cases of contagious or infectious disease of a dangerous character, such as small-pox, cholera, diphtheria, scarlet fever, yellow fever, and such other diseases as may be declared by said Board of Health to be contagious or infectious, which may come under the professional care of such physician, and it shall also be the duty of the attending physician to report to the Board of Health office when such patients are free from contagion, and house ready for disinfecting and fumigating; and any physician who shall fail or neglect to report as aforesaid any such cases of said diseases, that come under his professional care as aforesaid, shall be punished, on conviction therefor, in the Recorder' Court by fine not to exceed one hundred dollars and costs, or imprisonment not to exceed thirty days, either or both, in the discretion of the Court.

Sec. 1221. Small-pox Signs Displayed—Penalty for Failure. Owners or occupants of all residences, tenements, or rooms in the City, where small-pox exists, shall hang out a yellow flag at some conspicuous place on said premises. Any person failing to comply with this ordinance shall, on conviction, be fined not exceeding twenty-five dollars and costs, or imprisoned ten days in the City prison, in the discretion of the Recorder's Court.

Sec. 1222. Sale of Infected Clothing Unlawful—Penalty.—Any person who shall knowingly sell, or cause to be sold, or otherwise disposed of, any bed-clothing or other clothing, or any

other article or articles, which are infected with small-pox, typhus fever, yellow fever, scarlet fever, diphtheria, or cholera, whereby the disease may be spread, or made liable to be spread or disseminated, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1223. Penalty for Failing to Report Small-Pox, etc.—Any practicing physician, or other person, who shall know of the existence of a case of small-pox or varioloid in the City of Atlanta, and who shall fail within six hours to report the same to the Board of Health, or a health officer of the City, shall be arrested by an officer or member of the police force, and taken before the Recorder's Court, and such persons shall, on conviction, be fined in a sum not exceeding five hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court, for each offense.

Sec. 1224. Authorizing Establishment of Quarantine by Board of Health.—The Board of Health of the City of Atlanta shall have full power and authority to send to a hospital or quarantine established or designated for the purpose, any person within the City of Atlanta, who may be sick with small-pox, epidemic cholera, yellow fever, typhus fever, scarlet fever or diphtheria, when in the judgment of said Board of Health such isolation is necessary for the protection of the public. Said Board of Health shall also have authority to subject all persons, who may have been exposed to contagion or infection of any of the aforesaid-diseases to such quarantine restraints and regulations as may be deemed necessary and be promulgated by said Board of Health.

Sec. 1225. Flags and Fumigation Authorized for Premises Where Contagion Exists—Patients—Removal of.—The Board of Health is authorized to order a fumigation of the premises where a case of scarlet fever, yellow fever, typhus fever, cholera, small-pox or diphtheria has occurred, and may place thereon a flag or other design of warning during the prevalence of said diseases, and any person hindering or obstructing the execution of the

order of said Board, or who shall remove such flag or design without authority, shall be punished upon conviction in the Recorder's Court by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days. No removal of a scarlet fever, yellow fever, typhus fever, cholera, small-pox, or diphtheria patient shall be made from the residence where the disease occurred, or flag or notice put upon the premises, except where there is a lack of care and absence of isolation, which render removal, or flag, or notice necessary.

Sec. 1226. Family Cannot Remove from Dwelling, while Card is Up.—No family shall move away from any dwelling place while a warning card is displayed thereon, without permission from the Board of Health, and any person violating the provision of this ordinance shall, upon conviction in the Recorder's Court, be fined not more than one hundred dollars and costs, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1227. Officers Must Not Be Interfered with—Penalties.—Any person, who shall hinder or obstruct any members of the Board of Health, or any members of the police or sanitary force, or other person acting under the authority or by direction of said Board of Health, from removing to a hospital or quarantine any person, whom they desire to remove, or are so removing, or who shall in any way hinder or obstruct the proper officials in enforcing any of the provisions of this section, or of any of the foregoing sections of this ordinance, shall be arrested and taken before the Recorder's Court, and shall, upon conviction, be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than thirty days, either or both, in the discretion of the Court. The Board of Health shall make suitable rules and regulations for carrying the foregoing sections into effect.

Sec. 1228. Board May Quarantine Against any Infected Place—Against any Infected Railway Train.—The Board of Health of the City of Atlanta shall have authority to establish a quarantine against any place, person, or railway train being dangerously

infected by epidemic, cholera, yellow fever or small-pox, whenever, in the judgment of the Board of Health, a quarantine becomes necessary for the protection of the City. It shall be the duty of the Board of Health to make necessary regulations to insure the faithful enforcement of this ordinance.

Sec. 1229. Conductors Violating—Penalty.—Any railroad conductor or engineer, or other person, who shall bring into this City any excursion train in violation of the regulations of the Board of Health, after having received notice to that effect, shall be subject to fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days upon conviction in the Recorder's Court.

Sec. 1230. Penalty for Violation of Quarantine.—Any person, who shall violate any of the rules and regulations made by the Board of Health in pursuance of this ordinance, shall, on conviction in the Recorder's Court, be fined not more than five hundred dollars, or be imprisoned for not more than thirty days, either or both, in the discretion of the Court.

Sec. 1231. Circulation of False Report of Contagion—Penalty. Any person circulating a false report that there is in this City, or at any place in this City, any contagious or infectious disease, shall, on conviction in the Recorder's Court, be fined not more than one hundred dollars, or imprisonment not more than thirty days.

Sec. 1232. Contagious Diseases Among School Children—Duties of Parents—Physicians—Regulations—Readmitted When.—When any child in the City of Atlanta, eligible to admission at the public schools of said City, shall have a contagious or epidemic disease, or when a contagious or epidemic disease exists in a family, or household, in said City, in which a child of school age shall reside it shall be the duty of the attending physician in either of the above recited cases of sickness from contagious or epidemic diseases to report to the parent or guardian and to the Superintendent of Public Schools the existence and nature of such contagious or epidemic disease; and any attending physi-

cian, who shall fail, refuse, or neglect to report as aforesaid, shall on conviction thereof be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the Court. Any parent or guardian, who shall, in said City, knowingly permit a child to attend the public schools of said City when said child has a contagious or epidemic disease, or when either of said diseases exists in a family or household, in which a child of school age resides, shall, on conviction thereof, be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the Court. Authority is hereby conferred upon the Board of Education of said City to prescribe when, and under what evidence, a child may be refused admission to, or, if already admitted, discontinued from attendance upon the public schools of said City, or when and upon what evidence readmitted to said public schools, by reason of such child having, or having had, a contagious or epidemic disease, or when either of said diseases have existed, or shall exist, in a family or household in which such child of school age resides.

Sec. 1233. Horses and Mules with Glanders not to be Kept in City Limits.—Any owner or person in possession of any horse or mule with glanders, who shall keep the same within the limits of said City three hours after the knowledge of the fact that said horse or mule has glanders, or three hours after notice to remove said horse or mule beyond the limits of said City, shall, on conviction in the Recorder's Court, be sentenced to pay a fine not exceeding one hundred dollars, or to labor on the public works not exceeding thirty days.

Sec. 1234. Horses with Glanders Prohibited on Streets.—No person shall lead, ride, or drive on the public streets any horse or other animal, that has the glanders, or other infectious or contagious disease, under penalty not to exceed fifty dollars, upon conviction in the Recorder's Court.

Sec. 1235. Carrying Diseased Animals Through the Streets—Penalty.—Any person carrying through the streets of said City any horse, mule, cow, sheep, or hog, sick with a contagious or

infectious disease, without the permission of a Sanitary Inspector, shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1236. Vaccination—Compulsory—Exceptions—Every resident of the City of Atlanta is required to be successfully vaccinated a sufficient number of times to make it evident that successful vaccination is impossible, unless the facts shall be certified to by two reputable physicians of the City of Atlanta, that in any particular case, it will be dangerous to the life or health of the person in question to be vaccinated, and it shall be within the discretion of the Board of Education of the City of Atlanta to admit any child to the public schools without having been vaccinated, when the fact that it will be dangerous to the life or health of such has been certified to by two reputable physicians of the City of Atlanta, that in any particular case it will be dangerous to the life or health of the person in question to be vaccinated, and it shall be within the discretion of the Board of Education of the City of Atlanta to admit any child to the public schools without having been vaccinated, when the fact that it will be dangerous to the life or health of such has been certified to by two physicians as aforesaid.

Sec. 1237. Failure to be Vaccinated—Penalty—Parents' Failure to Have Children Vaccinated—Penalty.—Any resident of the City of Atlanta over fifteen years of age, who has not been successfully vaccinated, and who shall refuse or fail, after twenty-four hours' notice, to be so vaccinated, may be summoned to appear, or be arrested and taken before the Recorder's Court, and may, on conviction, be fined in a sum not exceeding five hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court, for each day such person so refuses or fails. And any parent, guardian, or any other person, having control of a child under fifteen years of age, who has not been successfully vaccinated, and who shall fail to have such child so vaccinated after twenty-four hours' notice, shall be subject to the penalties above provided upon conviction in the Recorder's Court.

Sec. 1238. Health Officer—Office Created.—The office of Health Officer is hereby created.

Sec. 1239. When Elected—Term of Office.—Said officer shall be elected by the Board of Health for terms not exceeding two years.

Sec. 1240. Salary—How Payable.—The salary of said officer shall be at the rate of twenty-four hundred (\$2,400.00) dollars per year, and be paid monthly, and be taken from the appropriation heretofore made to the Hospitals and Charities Committee.

Sec. 1241. Members of Board of Health Incumbent not Eligible As Health Officer.—No member of the Board of Health shall be eligible to the position of Health Officer during or for any part of the term, for which he was elected on the Board of Health.

Sec. 1242. May be Impeached by General Council—Causes.—Said Health Officer shall be liable to impeachment and trial by the General Council of said City for malfeasance or incapacity from any cause to discharge or neglect any of the duties of his said office, as well as for conduct detrimental to the character of said office or the good name of the City.

Sec. 1243. Shall Have a Central Office—Devote His Entire Time.—Said Health Officer shall be furnished with an office at some central place in the City. He shall give his entire time to looking after the interests of the City.

Sec. 1244. His General Duties Defined.—The duties of said Health Officer shall be such as may be prescribed from time to time by ordinances enacted by the Mayor and General Council upon recommendation of the Board of Health.

Sec. 1245. Undertakers' Regulations as to Bodies Dead from Contagious Diseases. (See later enlarged regulations.) It shall be the duty of every undertaker having notice of the death of any person within the City of Atlanta of small-pox, diphtheria, scarlet fever, yellow fever, typhus fever, Asiatic cholera, or any other

contagious disease dangerous to the health of the community, or the bringing of dead body of any person, who has died of any such disease into such City, to give immediate notice thereof to the Health Department. And no undertaker shall retain, or expose, or assist in the retention or exposure of the dead body of any such person, except in coffin or casket properly sealed; nor shall he allow any such body to be placed in any coffin or casket, unless the body has been thoroughly disinfected and wrapped in a sheet saturated in a solution of corrosive sublimate—two drachms to a gallon of water—and the coffin or casket be immediately and permanently sealed; nor shall he assist in the public or church funeral of any such person. Each violator shall pay a fine not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1246. Public Funerals of Persons Deceased from Contagious Diseases Unlawful—Penalty.—There shall not be a public or church funeral of any person, who shall have died of any contagious or infectious disease, such as small-pox, scarlet fever, diphtheria, yellow fever, cholera, or typhus fever; nor shall the body of such person be carried into a church or other public building; nor shall it be lawful to invite or permit at such funeral any person, whose attendance is not necessary, or to whom there is danger of contagion thereby. Any person violating this section, or any part thereof, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1247. Undertaker Reports to Health Officer Persons Dying with Contagious Diseases—Duties of Undertaker.—In the care and burial of bodies of persons, who have died of cholera, small-pox, yellow fever, scarlet fever, diphtheria, typhus fever, membranous croup, or leprosy, it shall be the duty of the undertaker in charge to immediately notify the Health Officer, and to at once thoroughly disinfect and wrap the body in absorbent lintine, or a sheet thoroughly saturated with a solution of formaline, six per cent in strength, and place same in the casket or coffin, in which it is to be buried, within eighteen hours after he

is called in. The coffin or casket is to be tightly closed, and sealed, and not opened afterwards unless written permission therefor is granted by the Health Officer.

Sec. 1248. Wrapping May Be Dispensed With—When.—The wrapping herein required may be dispensed with, provided the body is placed in a casket or coffin, and permanently sealed, as above provided, where the body has been thoroughly embalmed (arterially and cavity) within six hours after death by a licensed embalmer, who has used the standard formaldehyde fluid, and all orifices have been stopped with absorbent cotton thoroughly saturated with formaline.

Sec. 1249. Body Must be Buried within Forty-eight Hours—Except Etc.—The body of a person, who has died of any of the diseases mentioned in preceding section of this ordinance, shall not remain unburied for a period longer than forty-eight hours after death, unless with the written permission of the Health Officer, and, when so granted, said permission shall state the time of extension, and the reasons therefor.

Sec. 1250. Funeral Services Strictly Private.—All services held in connection with the funeral of the person, who has died from any of the diseases mentioned in preceding sections of this ordinance, shall be strictly private, and the attendance thereat shall include only the immediate adult relatives of the deceased and the necessary pall-bearers. All announcements and publications of such funerals shall state positively the cause of death. The bodies of persons, who have died of any of the diseases mentioned in preceding section of this ordinance, shall in no instance be taken to a church, chapel, public hall, or any public building for any purpose or on any occasion.

Sec. 1251. Regulations as to Conveyances Used at the Funerals of Persons who Have Died with Contagious Diseases.—No undertaker, having charge of the burial or the funeral services of a person, who has died of any of the diseases mentioned in preceding sections of this ordinance, shall furnish at said burial or services only such conveyances as are absolutely necessary to convey the adult relatives of the deceased and the necessary pall-

bearers. All conveyances used by any persons who have resided in the same family or house with the deceased, shall be thoroughly disinfected by the owners or those in charge of same, immediately upon return to the stables, and it shall be the duty of the Health Officer to see that these provisions are strictly enforced. In no instance shall they be sent or be permitted to be used by other parties until they have been thoroughly disinfected by formaldehyde gas, or by spraying the cushions and draperies with a six per cent. solution of formaline.

Sec. 1252. How Body of Deceased Shall be Carried.—The body of any person dying of any of the diseases set forth in preceding sections of this ordinance, shall not be conveyed to or from any other building or dwelling or place, to any cemetery or building, lot, or other place, through any of the streets of the city, except in a hearse or some vehicle used for conveying corpses; and in no case shall the body of a child, who has died of any of the diseases set forth in preceding sections of this ordinance, be placed in or carried in a carriage occupied by other persons.

Sec. 1253. Suit of Undertaker, While Dressing Body for Burial.—The undertaker, when taking charge, and having treatment thereof, of the body of a person who has died of any of the diseases set forth in preceding sections of this ordinance, shall provide himself with a rubber suit, and shall wear same over his other clothing, and in each and every case he shall thoroughly disinfect said rubber suit, his hands, face, beard and hair, and the clothing worn under said rubber suit immediately on return to his place of business or home, and before coming in contact with other persons, and it shall be the duty of the Health Officer to see that the provisions of this Section are enforced.

Sec. 1254. Health Officer Shall Furnish Undertakers with Copies of this Ordinance—Prosecute Violations.—It shall be the duty of the Health Officer to have this ordinance printed, and furnish at once to each undertaker in the City of Atlanta a copy of this ordinance. It shall also be his duty to see that same is enforced in each and every particular, and to prosecute each and every violation thereof.

Sec. 1255. Penalty for Violation.—Any person, firm, or corporation, their agents and employees, violating any of the provisions of this ordinance shall, on conviction in the Recorder's Court of the City of Atlanta, be fined for each and every violation thereof, not exceeding \$200.00, or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1256. Decayed Flesh—Vegetables—To Be Removed in Six Hours—Penalty for Failure.—Any owner or occupant of any lot, who shall suffer to remain on his or her lot, owner or occupied by him or her, any decayed flesh or vegetables, or any other thing, which may annoy his or her neighbors, or tend to affect injuriously the health of any citizen, shall be required to remove the same within six hours, and on failure to remove or remedy the same within six hours, if it can be done, on conviction pay a fine not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, for every six hours it is suffered to remain; and if it be adjudged a nuisance in the manner prescribed by the statute or the ordinances of the City of Atlanta, the Sanitary Inspector shall, in that case, by order, abate the same, and the offender shall pay the cost of trial and abatement; or if the occupant has but lately come into possession, and the same has not been placed there by him, or any member of his family, or by his consent or approbation, the costs of the removal shall be charged to the prior occupant, and, if not to be found, the owner of the lot; and, on the judgment of the Recorder's Court to that effect, execution shall be issued by the Clerk of Council, in favor of the City of Atlanta, against the persons liable under the provisions of this ordinance.

Sec. 1257. Placing Decayed Matter on Property of Another—Penalty.—Any person or persons who shall throw or place on any street, alley, or on the lot of another, any decayed flesh or vegetables, or other offensive matter, calculated to annoy the citizens of the neighborhood, or endanger their health, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, at the discretion of the Recorder's Court.

Sec. 1258. As to Decayed Fruits and Vegetables—Inspectors' Duty—Stale Fruits—Meats, Fish, Poultry, etc.—Penalties.—From and after the passage of this ordinance it shall be the duty of the Sanitary Inspectors to condemn and require to be sent out of the City by the owner or party in possession thereof, under direction of such Inspectors, as garbage, all decayed or stale melons, fruits, and vegetables, and all unsound, tainted, offensive, or unwholesome meats, fish, poultry, game or other articles of food kept or stored in any box or refrigerator, held or offered for sale at any of the fruit stands, stores, or markets in said City, or offered for sale from any car on any of the railroad tracks in said City. Any merchant, trader, dealer, or other person, who shall refuse to allow the Inspectors aforesaid opportunity to inspect their stock of melons, fruits, vegetables, and meats, fish, poultry, game, or food-stuffs of any kind, or who shall, when any of said stock is condemned, refuse to remove it from the City as garbage shall, on conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days. Any merchant, marketman, fruit stand keeper, or other trader or dealer, who shall sell, or offer for sale, as food, any stale or decayed lemons, fruits or vegetables, or who shall sell, or offer for sale, as food, any spoiled or decayed meats, or fish, or other article of food, shall be punished, on conviction in the Recorder's Court, by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of the Court.

Sec. 1259. Diseased and Unwholesome Meat Not to be Sold, Kept, or Offered for Sale—Penalties.—No animals or fish, that died by disease or accident, no carcass of any calf, pig, or lamb, which, at the time of being killed, was less than six weeks old, and no meat therefrom, nor any animal, nor meat therefrom, killed while feverish, bruised, disabled, injured with broken limbs or otherwise; heavy with young, jaded with fatigue from long driving or shipping; or killed or kept in same building, or in so close proximity with fumes or gas of diseased or other spoilt meats, or dead carcasses, as to be contaminated therefrom, or rendered unwholesome or unhealthy thereby, or hauled in same

vehicle, or manipulated with tools used on diseased or other dead carcasses as aforesaid, or dressed or kept in any building wherein animals, or parts of animals, dead from injury or disease are stored, kept or rendered, or wherein decomposed, putrid, or offensive meats of any kind are kept; or within one hundred feet of any building wherein animals, dead as aforesaid, or other unsound meats are stored, kept or rendered, or dressed, or kept in any house or upon the premises, which are not clean and maintained in a pure and wholesome condition by necessary disinfection, flushing, washing, scalding, and limewashing, and the removal therefrom of all accumulations of filth, and of all decomposing and offensive matter, shall be brought into said City, or in said City sold, held or offered for sale as food. Any person violating this section of this ordinance shall, on conviction thereof in the Recorder's Court, be fined not exceeding one hundred dollars, or imprisonment not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1260. Meats, etc., Unfit for Food May be Sold for Tallow—Must Do So Within Three Hours after Condemnation.—Whenever the owner of meat and similar articles, which have been condemned as unfit for food under the ordinances of the City, desires to keep and sell said condemned articles to persons or companies, that desire to make tallow therefrom, or remove the hides therefrom, the owner of said articles shall have the privilege of disposing of same for said purpose, provided he does so dispose of same within three hours following the time of condemnation, and filed with the Department of Sanitary a receipt for such articles signed by said purchasers, showing the time of delivery thereof. Blank receipts to be furnished on application without charge.

Sec. 1261. Penalty for Abusing this Privilege.—Any person, firm or corporation, their agents or employees who shall dispose of said condemned articles, otherwise than as provided in preceding section of this ordinance, shall be guilty of an offense, and on conviction thereof in the Recorder's Court, shall be fined not exceeding two hundred dollars or imprisoned not to exceed thirty days, either or both of said penalties to be inflicted in the discretion of the Recorder.

Sec. 1262. Ordinance Prohibiting the Sale of Undrawn Fowls.

—It shall be unlawful to sell, barter, or give away, or to have on hand for the purpose of sale, or to keep at any store, shop, or stall, or other place where goods or meats are kept, or exposed for sale, any turkey, chicken, duck or bird of any kind, from which the entrails have not been withdrawn, after same have been killed and dressed, and made ready for the market. Any person, firm or corporation, their agents, or employees, violating these provisions shall, on conviction in the Recorder's Court, be fined a sum not exceeding one hundred dollars (\$100.00), or imprisoned not exceeding thirty days (30) days, one or both penalties to be imposed in the discretion of the Recorder.

Sec. 1263. Prohibition of Sale of Calves too Young, etc.—The sale of calves of the weight of fifty pounds, bobbed, (head, feet, and entrails removed), and under fifty pounds in weight, bobbed is hereby prohibited. Calves weighing fifty pounds and less can only be a few weeks old, and calves of such recent birth are not fit for consumption, and are liable to create sickness, if eaten. It shall further be unlawful to keep such calves on hand for sale, or to offer same for sale, in whole or in part, raw or prepared, or to keep same on hand, stored or kept with other goods (that are to be sold or offered for sale), in whole or in part raw or prepared.

Sec. 1264. Penalty for Violation.—Any person violating preceding section shall, on conviction in the Recorder's Court, be fined not exceeding one hundred dollars (\$100.00) dollars or imprisonment not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1265. Meat Wagons Shall be Covered.—All wagons and other vehicles, hauling freshly-butchered meats, shall be so covered as to conceal such meats from view.

Sec. 1266. Penalty for Violation.—Any person, firm, or corporation, convicted before the Recorder's Court of a violation of the above section, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both of said punishments, in the discretion of the Court.

Sec. 1267. Display of Meats or Food Products, Where Same Would Collect Dust, etc.—It shall be unlawful for any person, firm or corporation to display or offer for sale any meat, fish, pickles, dates, prunes, figs, or fruits (such as are not washed or peeled before eating) or other article of food, that would collect dust and dirt, making same unfit for food, on the sidewalk of any building or place of business.

Sec. 1268. Vegetables, How Displayed.—All vegetables, such as cabbage, lettuce, beans, potatoes, etc., when placed on the sidewalk of any building and offered for sale shall be placed on stands not less than eighteen inches above the sidewalk.

Sec. 1269. Not Apply, When.—Preceding sections do not apply to any of the above-mentioned articles when placed in closed boxes or bins with glass tops.

Sec. 1270. Penalty.—Any person, firm or corporation, or their agents or employees, violating the provisions of preceding sections of this ordinance shall, on conviction in Recorder's Court, be punished by a fine not exceeding \$200.00 or imprisoned on the public works not exceeding thirty (30) days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1271. Oleomargarine Cannot be Misrepresented.—No merchant or dealer, or their agent or employee, shall, in this City, sell any oleomargarine, butterine, or any other imitation of butter, without representing to the purchaser clearly and distinctly, what he or she is selling.

Sec. 1272. Oleomargarine Must Be Stamped as Such.—No merchant or dealer shall keep in their store, for sale, any oleomargarine, butterine, or other imitation of butter, unless the same has stamped on the body of the package, in letters one and one-half inches high, and the same width the name of such imitation. A stamp on the lid shall be insufficient.

Sec. 1273. Penalty for Violation.—Any person violating the the provisions of either of the foregoing sections shall be sum-

moned to appear, or may be arrested and taken before the Recorder's Court, and shall, on conviction, be fined in a sum not exceeding one hundred dollars, and not less than twenty dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1274. No Licenses to be Issued to Fish Stands on Sidewalks.—Beginning with the next quarter of the fiscal year after adoption of this ordinance no license shall be issued to any person, firm or corporation for the purpose of conducting a fish stand or meat market, where such stand or market is constructed so as to front or open or abut on the sidewalk where sales are made to customers standing upon the sidewalk. All licenses heretofore issued to such stands or markets, which violate the terms of this section, are hereby revoked beginning with the first day of the next quarter after adoption of this ordinance of the fiscal year. This prohibition applies to the free licenses granted to the above businesses, as well as to licenses, which have been paid for. Where licenses have been issued, extending beyond the beginning of the next quarter as aforesaid, and such licenses cover stands or markets, which violate this section of this ordinance they are hereby revoked, and the money for the succeeding quarter and for remaining quarters of the fiscal year, heretofore paid, shall be returned to said licensees in proportion to the unused portion of said licenses, and warrants shall be drawn on the apportionment to the Department of Taxes to pay for said return license fees.

Sec. 1275. Restrictions and Conditions of the Sale of Meat and Fish to be Printed on License.—All licenses issued for the sale of fish or meat, under whatever classification same shall fall, from and after the beginning of the next quarter of the present year, shall have written or printed on the licenses issued therefor the following: "This license does not authorize the sale of fish or meat, or similar products, from stands or counters or markets constructed so as to front or open or abut on the sidewalk, from which sales may be made to customers standing upon the sidewalk. If sales are made to customers on the sidewalk under this license, it shall thereby become void and of no effect,

without further action by the Mayor and General Council of the City of Atlanta." This shall be printed on each license issued for the sale of fish or meat, in any form or under any classification.

Sec. 1276. Penalty for Violation of Above Ordinance.—All persons, their agents or employees, who sell fish or meat from stands or markets to customers standing upon the sidewalk in front of said stand or market, shall be deemed guilty of offense against the public peace and order of the City, and, on conviction in the Recorder's Court they shall be fined not exceeding (\$100.00) one hundred dollars, or compelled to work upon the Public Works not exceeding thirty days, one or both penalties to be inflicted at the discretion of the Recorder.

Sec. 1277. Hauling Swill Through Streets—Must Be Covered. All persons hauling or conveying swill, slop, and like refuse through the streets of the City, must carry same in closed vessels, securely covered, so that the contents thereof may not be spilled, or odors emitted therefrom.

Sec. 1278. Penalty for Violation.—Any person or firm, their agents or employees, violating the terms of foregoing provisions, shall, on conviction in the Recorder's Court, be punished by a fine not exceeding \$100.00, or imprisoned not exceeding thirty days, or both penalties to be inflicted, in the discretion of the Recorder.

Sec. 1279. Free Distribution of Drugs or Medicines—Permit Must Be Obtained—From Whom—How.—It shall be unlawful for any person, firm or corporation, to distribute free upon the streets of the City of Atlanta, or from house to house, or from any public place in said City, any drugs or medicines for advertising purposes without the written consent of the Health Officer, which consent shall contain the names of the articles to be so distributed, and the period for which distribution is allowed.

Sec. 1280. Penalty for Violation.—Any person, firm, or corporation, guilty of the violation of above provisions, shall, on con-

viction before the Recorder, be fined not exceeding fifty dollars, or serve upon the public works, or be imprisoned, not exceeding thirty days, in the discretion of the Recorder.

Sec. 1281. Obstructing Drains or Gutters—Penalty.—Any person or persons, who shall obstruct any gutter or drain in any street or alley of said City, or shall place anything therein likely to obstruct the same, shall on conviction be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1282. No Filthy Water to be Poured in Gutters—Penalty. No person shall use the streets or sidewalks of the City, nor the gutters between, as a drainage to carry off any water, that has been used, or other fluids, or soapsuds, or dye-stuffs or liquid manures, or any other liquids, whether from privies or otherwise. Any person discharging or allowing to be discharged, any such fluids, shall, on conviction of the fact, be fined in a sum not exceeding twenty-five dollars and costs, or condemned to work in the chaingang not to exceed thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1283. Hides—Filthy Rags, etc.—Manner of Keeping Dry and Green Hides in City.—No person shall keep hides, dried or green, filthy rags, bones, or guano, or anything else, that may be adjudged a nuisance, to the annoyance of any citizen or the detriment of the public health, within three hundred yards of the dwelling or business house of any citizen of said City; and any person violating this ordinance shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not more than thirty days, in the discretion of the Recorder's Court; provided, however, that dry hides, thoroughly cured and odorless, may be kept for sale in the City adjoining business houses; and that hides, after being thoroughly salted outside the City limits, may also be kept in the City for sale, and in houses adjoining business houses, during the months of November, December, January, February, and March; and, provided further, that no dry or green hides shall be kept in the City limits, if they do, in fact, amount to, or may be adjudged a nuisance.

Sec. 1284. Weeds to be Cut on Vacant Lots Upon Notice—Penalty for Failure.—Any occupant of any improved lot, or owner or agent of owners of any vacant lot, who shall fail or refuse to cut the weeds on said improved or vacant lot for forty-eight hours after notice to cut the same by a Sanitary Inspector, upon order of Board of Health after investigation of each case, shall, on conviction in the Recorder's Court, be fined not more than one hundred dollars, or imprisoned not more than thirty days.

Sec. 1285. Condition, in which to Keep Privies.—All privies within the corporate limits shall be kept clean and well limed, or served with other disinfecting agents, and the actual tenant or occupant of all lots, upon which privies are situated, shall be held responsible for the cleanliness of the same.

Sec. 1286. Shall Provide Receptacle for Excreta—Penalty.—It shall be the duty of all persons having, owning, or controlling privies, not connected with the waterworks, within the sanitary limits, to have and use water-tight receptacles, in which to receive all excreta; and it shall be the duty of such persons aforesaid to cause the contents of such receptacles to be deodorized or mixed with dry earth or fine coal ashes daily. Should any person or persons fail to comply with the requirements of this section, they shall, upon conviction thereof, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1287. Receptacles Must Not Be Exposed to Rainwater.—All persons owning, using or controlling surface closets, with water-tight buckets for the reception of closet, or refuse matter, shall, also place such buckets beneath the closet building or under such cover that rain water may not be collected therein.

Sec. 1288. Penalty for Failure to Comply with Ordinance.—All persons failing to comply with above provisions shall be fined or imprisoned in the discretion of the Recorder in a sum not exceeding fifty dollars, or for a term not exceeding twenty days for each and every violation of the provisions of this ordinance.

Sec. 1289. Privies Shall be Easy of Access—Right to Examine—Interference with Officers—Penalty.—All privies within the corporate limits of this City shall be easy of access to the Sanitary Inspectors, or other officers, and said officers shall have the right at any time to enter the premises wherever any privies are located, and see that the same are neatly and cleanly kept. Any person interfering with said officer, in the discharge of this duty, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, in the discretion of the Court.

Sec. 1290. Examination of Privies—Orders—Penalty for Disobedience.—The Chief of Police or Sanitary Inspectors shall make, during the spring and summer months, weekly examinations into the conditions of each privy, and, whenever, in his or their judgment this ordinance is violated, he shall notify the owner, tenant, or occupant of said lot to put said offensive privy forthwith in order; and in case of refusal or neglect on the part of said owner, tenant, or occupant to comply within six hours thereafter, he, she, or they shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned not more than thirty days, in the discretion of the Recorder's Court; and he may be fined a further sum, not exceeding ten dollars, for every twelve hours such privy shall remain in an offensive condition.

Sec. 1291. Closets on Trains Must be Locked—Not Used Inside the City—Penalty for Violation.—All railroad and sleeping car companies running cars into the City of Atlanta shall keep their closets securely locked, and shall not permit the same to be used by anyone, while in the corporate limits of said city. The agents, conductors, or representatives of said Companies, who shall violate this ordinance, shall be arrested, and, on conviction, fined not exceeding one hundred dollars or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1292. Closets in Fire Limits to be Connected with Sewers and Water.—No person owning improved property, or being the legal representative or agent thereof, shall have, on his or her premises within the fire limits of said City, or elsewhere in said

City outside of the fire limits, where water and sewerage are down on either side or end of said property, any top privy, wherein human excrement is deposited, unless the same be connected with a sewer and proper water facilities for carrying off the same without obtaining the written consent to do so of the Board of Health of said City, which consent shall only be given, when, in the opinion of said Board, it would be unreasonable and inconvenient to demand of such owner that the connection be made.

Sec. 1293. Who Is Responsible.—When neither the owner, legal representative, or agent of said property are domiciled in said City, the tenant in possession shall be subject to all the pains and penalties hereinafter provided for violations of this ordinance.

Sec. 1294. Copy of Requirements to be Served.—It shall be the duty of the Sanitary Inspectors of said City to serve a copy of above requirements on all parties offending the provisions thereof, which said copy shall be served forty days previous to trial for a violation of this ordinance, said copy to be served personally, or by leaving it at most notorious place of abode, or by leaving it at premises in question.

Sec. 1295. Penalty for Violation.—Any person violating above provisions shall, upon conviction before the Recorder's Court of said City, be fined in a sum not exceeding one hundred dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Court, for each day's violation thereof.

Sec. 1296. City Not Liable for Expense of Sewer Connections. Nothing herein contained shall be construed to mean that the City of Atlanta is liable for the expenses of construction of water closets, or of sewer connections, or of furnishing water facilities made necessary by this ordinance.

Sec. 1297. Water Closets Having Sewer Connections Must Have Water Connection.—All water closets now, or hereafter, having sewer connections, shall also have proper water connec-

tion with the City waterworks or from private windmills or waterworks, where there is an ample flow of water, and all said water closets shall be so flushed with water, of sufficient flow and strength, as will prevent the accumulation of offensive water, and will safely and promptly carry off the same into the sewers.

Sec. 1298. Penalty for Violation.—Any person using, controlling, or owning water closets not thus provided as above, shall, on conviction thereof, before the Recorder's Court, pay a fine of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1299. Board of Health May Require Suitable Water Closets on Improved Property.—The Board of Health of said City shall have full power and authority to require the owner of any improved real estate within said City to provide suitable privy or water-closet accommodations upon such improved premises, whenever in the judgment of said Board such improvements are necessary to preserve the health or to protect the sanitary interests of citizens of any neighborhood within said City.

Sec. 1300. Notice to Provide Water-Closets—Penalty for Failure.—After forty days' notice served upon the owner or agent in charge of any such property, by one of the Sanitary Inspectors, to make and provide such accommodations aforesaid, and a failure to have same made and provided, such owner or agent or person in charge of such property shall be subject each day such accommodations aforesaid are not made and provided, to pay a fine not exceeding one hundred dollars and costs, or to imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1301. Regulation of Construction of Privies and Water Closets.—It shall be unlawful for any person, firm, or corporation in erecting or constructing privies or water-closets, to place them in or over any part of the surface of any street or alley, or on, over, or extending into any part of any area owned jointly by abutting property-owners, and left between buildings for the purpose of light and ventilation.

Sec. 1302. Must Remove, If Violating Regulation Above.—It shall be the duty of the owner, agent, or person in charge of any real estate within the limits of the City of Atlanta, having privies or water-closets, which extend on or over any part of the surface of any street or alley, or any area owned jointly by abutting property-owners, and left between buildings for the purpose of light and ventilation, to remove such privy or water closet from such location so as to no longer extend or be maintained at any place prohibited by this ordinance.

Sec. 1303. Penalty for Violation.—Any person, firm or corporation convicted of a violation of above provisions, in the Recorder's Court of the City of Atlanta, shall be punished for such violation by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, and each week that any such privy or water-closet shall be maintained in violation of this ordinance shall constitute a fresh offense, and shall be punishable by like fine or imprisonment, as hereinbefore specified.

Sec. 1304. Preamble—Dumping Grounds Incorporated for Police Purposes.—For police and sanitary purposes, the sanitary dumping-grounds, to-wit: Ninety-two (92) acres, more or less, of land belonging to the City of Atlanta, in Land Lots 113, 114, 115, and 143, in the fourteenth District of originally Henry, now Fulton County, and also the land lying between the City of Atlanta and said dumping-grounds, and the roads or streets leading from the City of Atlanta to said dumping-grounds, and especially the roads known as Bellwood avenue, the extension of Simpson Street, the extension of West Hunter Street, the extension of Ashby Street, and Mason and Turner's Ferry Road, and also any other roads now existing, or which may be opened leading from the City of Atlanta to said dumping grounds, are included within the corporate limits of City of Atlanta, so as to give the Mayor and General Council jurisdiction over said grounds, and the intervening lands and roads, for police and sanitary purposes, and said Mayor and General Council are authorized to make and enforce all ordinances necessary for the preservation of the peace and order, and for the protection of the property, and the implements of the City of Atlanta from molestation, disturbance or injury, in the conduct of the sanitary

work of said City, or in or about said roads and grounds. (Georgia Laws, 1893 Amendment to Charter.)

Sec. 1305. Profane Language—Quarreling—Fighting—Disorder by Employees Punished—How.—Any employee of the Board of Health in charge of the night-soil wagons, garbage carts, or trash wagons of the City of Atlanta, or charged with the duty of supervising the conduct of such drivers and wagons, who shall be guilty of using profane language, or quarreling, or fighting, or of any other act of disorder or indecency not indictable under the laws of Georgia, on the dumping grounds described in the preamble to this ordinance, or on any of the roads named in the preamble, or on any of the lands between the City of Atlanta and said dumping-grounds, to the annoyance of people living about said grounds or near said roads, or persons traveling along said roads, shall be arrested and brought before the Recorder's Court of the City of Atlanta, and, on conviction of a violation of this section, shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in each case, either or both of such punishments, in the discretion of the Court.

Sec. 1306. Interference by Outsiders with Work of Sanitary Department Punished—How.—Any person other than an employee of the Board of Health, who shall, without the permission of the Superintendent in charge of said dumping grounds, or of the Superintendent in charge of the wagons, carts, etc., passing along said roads, interfere with the sanitary work of said Board of Health by molesting, injuring or meddling with any of the property in charge of said Board of Health or its employees, such as the crematory, or any of the machinery, or the wagons or carts used in connection with, or the roadways to said crematory, or the night-soil pits, or the dump heap, or the wagons or carts used in connection with such pits or heap, or the live-stock employed by said Board of Health in connection with such sanitary work, or the employees of said Board of Health, or shall be found loitering on said premises, shall be arrested and brought before the Recorder's Court of the City of Atlanta, and, on conviction of a violation of this section, shall be punished by a fine not exceeding one hundred dollars, or imprisoned not to exceed

thirty days, for each offense, either or both of these punishments, in the discretion of the Court; provided it shall be the duty of the Superintendent in charge of such dumping grounds, or the superintendent in charge of the wagons carrying night soil or garbage, at all times to furnish ready and convenient opportunity to sober persons living in the neighborhood of the dumping grounds, or the roads aforesaid, to make reasonable examination of said grounds, pits, dump heap, crematory, wagons and carts, upon application to such superintendent or person in charge of the wagon, for opportunity to make such examination.

Sec. 1307. Penalty Further Imposed—Similar Offenses.—Any person or persons, who, in said dumping grounds or lands intervening between them and the City, or along said roads leading from the City to said dumping grounds, shall interfere with the employees of the Board of Health, or the property in their charge, by cursing, threatening, or in any way maltreating any of said employees, or by meddling with any of the property in their charge, to the injury of said property, or the obstructing of the sanitary work of said Board of Health, and without the permission of the superintendent of the dumping grounds, or of the person in charge of the transportation to said dumping grounds, shall be arrested and brought before the Recorder's Court of the City of Atlanta, and, on conviction of a violation of this Section, be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, for each offense, either or both, in the discretion of the Court.

Sec. 1308. Permits for Sale, Feed, or Livery Stables Necessary—Penalty for Violation.—It shall be unlawful for any person, firm or corporation to open or operate, or maintain a sale, feed or livery stable in any residence section of the City without first complying with this ordinance, and any person, firm or corporation, their agents or employees violating this section, shall, on conviction in the Recorder's Court, be fined not exceeding \$100 or imprisoned not exceeding thirty days, either or both in the discretion of the Recorder.

Sec. 1309. Adjacent Owners of Property Must Consent.—Any person, firm or corporation, desiring to open, operate, or maintain a sale, feed, or livery stable in any residence section of the City, shall first file a petition with the Mayor and General Council for a license or permission to open and operate such stable, describing distinctly and fully the lot or house, at or in which said stable is to be operated, giving the number of same, if it has a number, or, if no number, the names of the owners of adjoining property, but said petition should not be entertained by said Mayor and General Council unless it bears the written consent and approval of the owners of the majority of the real estate lying within a radius of one hundred and fifty feet of said location, measuring in all directions.

Sec 1310. "Residence Section" Defined.—The term "residence section," as used in this ordinance, shall include all sections of the City lying without what is known as the inner or close fire limits, and within the inner or close fire limits, where the real estate of any particular section has more residences thereon than business houses.

Sec. 1311. Petition Considered by Board of Health—Then by Council—Granted under What Conditions.—Said petition, when filed, as above provided, shall be referred to the Board of Health and no action shall be taken by said Mayor and General Council until same is returned to them by said Board with its approval. When so returned and approved, then said petition shall be considered by said Mayor and General Council, and, if in their judgment, the location of said stable will not be injurious to persons living in said neighborhood, or amount to a nuisance, or discomfort, then they shall pass a resolution granting said applicant permission to open, operate, and maintain such stable. Without such sanction the Clerk of Council, nor any other officers, shall issue a permit or license therefor.

Sec. 1312. Milk Depots—Petition for Permits—How Presented.—It shall be unlawful for any person, firm, or corporation, to open, operate, or maintain a milk depot in any residence section of the City without first filing a petition with the Health Officer;

stating the name of the applicant, describing distinctly and fully the location of said proposed depot, and the street number thereof, the names of the owners of adjoining property, as well as the residents thereon. Said petition must contain written consent of the owners of a majority of the real estate lying within a radius of one hundred and fifty feet of the proposed location, and measuring in all directions.

Sec. 1313. Health Officer Investigates—Reports—License—How Granted or Declined.—Upon receipt of said petition, said Health Officer shall fully investigate same, and make a written report thereon, which report shall be filed with the petition in the office of the Clerk of Council. If said Health Officer shall recommend the granting of said license in said report, the Clerk of Council shall issue license for said milk depot, as prescribed in the schedule of licenses. Otherwise no license shall issue to said applicant. Any person violating this section shall upon conviction in the Recorder's Court be punished as prescribed in preceding section of this ordinance.

Sec. 1314. Office of Milk Inspector Created—Board of Health Elects.—The office of Milk Inspector is hereby created, and the Board of Health is hereby authorized to elect a suitable person to fill that position.

Sec. 1315. Milk Inspector Serves Under Board of Health—Term—Salary.—The said milk inspector shall serve under the Board of Health, and perform such duties as they may require. He shall not be elected for any definite term, but shall serve at the pleasure of the Board. The salary of said Milk Inspector shall be \$100.00 per month, to be paid from the apportionment to Department of Board of Health.

Sec. 1316. Milk Ordinance (later enlarged)—Restrictions.—It shall be unlawful for any person to sell or offer for sale, within the limits of the City of Atlanta, any impure, adulterated, sophisticated or unwholesome milk, or to sell or offer for sale as pure milk any milk, to which water or any other substance has been added, which in effect injures its quality, or lessens its

value: or to sell or offer for sale the milk of any cow, that may be sick, diseased, or suffering from any bodily condition or disorder liable to render her milk unfit or unsafe to be used as food; or the milk obtained from a cow kept in a filthy or unventilated stable or building, or in an offensively filthy lot, pen, or shed, or that may be fed upon food or allowed to drink any liquid that may affect the milk, so that consumers shall be exposed to the risk of sickness or disease therefrom.

Sec. 1317. No Milk of Cows, Drawn Just Before or Just After Calving.—No milk or cream shall be sold, kept, offered or exposed for sale, stored, transported, exchanged, carried, delivered or in any manner disposed of, drawn from cows within fifteen days before or ten days after parturition, nor shall the same be mixed with any other milk or cream for such purpose.

Sec. 1318. Duties of Inspector—Rigid Inspection—Powers.—It shall be the duty of the Inspector directed or instructed herein to visit, view and inspect all places and vehicles, from which cream, milk, or butter may be sold, offered for sale, stored, kept, exchanged, delivered or disposed of, as well as to inspect, view and examine all vessels cans, receptacles, packages, refrigerators or compartments of stores, places or buildings, erections or establishments of any kind containing milk or cream, and ascertain or examine the condition thereof with reference to cleanliness and sanitation, and he is authorized, directed, and empowered to cause the removal and abatement of any unfit, unclean, or injurious conditions attending the keeping, storing, care, custody, or control of milk, cream, or butter at and in all places.

Sec. 1319. Sign on Wagon, Showing Location of Dairy.—No milk or cream shall be sold, offered for sale, exchanged, delivered, transported, conveyed, or carried on any wagon or other vehicle unless there shall be painted thereon, on both sides thereof, in a conspicuous place, and in legible letters not less than four inches in height, the name and location of the dairy or place from whence the milk was obtained.

Sec. 1320. Rights of Inspector in the Discharge of His Duties. The Inspector shall have the right to enter and have full access, egress and ingress to all places where milk or cream is stored or kept for sale, to all wagons or other vehicles, railroad cars, or conveyances of any kind used for the conveyance, transportation or delivery of milk; and to take samples of milk therefrom, not exceeding one quart, for the purpose of inspecting, testing, or analyzing the same; provided, however, that if upon analysis it is proved that the condemned milk is unadulterated, the City shall be liable for the value of the article destroyed.

Sec. 1321. Samples Analyzed—If Adulterated, Prosecution—Analysis—How Made.—All samples of milk and cream taken or brought to the office of the Board of Health by the officers thereof, or by any other person, shall, by the Board of Health or by the Chief Inspector, be analyzed or otherwise satisfactorily tested, and wherever and whenever said milk or cream so tested or analyzed shall be found violative of the provisions of this ordinance, the necessary steps shall be taken for a prosecution of the offender thereof. The analysis or test herein required may be made with such instruments, apparatus, chemicals, or other articles, and to such extent as may by the Board of Health be deemed necessary.

Sec. 1322. Permit Necessary from Board of Health.—It shall be unlawful for any person or persons to bring into or receive into the City of Atlanta, for sale, or to sell, or offer for sale therein, or have on hand for purposes of sale, any milk or cream without first having obtained from the Board of Health of the City of Atlanta a permit to do so, as hereinafter provided.

Sec. 1323. Contents of License—Cannot Sell Milk, If Revoked. Said permit shall state that the licensee will comply with this or any other ordinances of the City, and, on a violation of any of its items, his license shall be revoked, in the discretion of the Board of Health. It shall be unlawful for any licensee to sell or furnish or have on hand for sale, in the City, any milk, after the revocation of the license.

Sec. 1324. Conditions to be Complied with to Obtain Permit. To procure such a permit, the applicant therefor shall file with the said Board of Health a written statement setting forth his residence, the number of cows owned by him, the name and address of any and all persons, from whom he is purchasing or obtaining milk, and the number of gallons of milk sold by him daily, as nearly as he can estimate the same; and if such permit be granted, it shall be the duty of the holder thereof to notify the said Board of Health in writing of any change in the name or address of the person or persons, from whom he obtains his supply of milk.

Sec. 1325. Permits to be Renewed during January.—All permits must be renewed during the month of January of each year to be valid. Renewal of permits may be granted at the discretion of the Board of Health after investigating the record of said applicant.

Sec. 1326. No Charge for Permits—Applicant Agrees to Furnish Samples.—There shall be no charge for such permits, but in accepting same the applicant agrees to furnish free of charge such samples of milk as the Inspector may take for analysis, provided each sample be not more than one pint of milk or cream.

Sec. 1327. No Milk or Butter to be Sold, Which Does not Comply with this Ordinance.—It shall be unlawful for any person to sell, offer for sale, or have on hand for sale in this City any milk or butter, who fails or neglects, by himself or agents, to comply with all the terms of this ordinance, or who sells or offers for sale, or has on hand for sale, products from cows or dairies which are not maintained as required by the terms of this ordinance.

Sec. 1328. Stables Must Be Well Lighted, Ventilated, etc.—No building shall be used for stabling cows for dairy purposes, which is not well-lighted, ventilated, drained and constructed.

Sec. 1329. Clean Floors for Stalls—Accumulation of Filth Forbidden.—The stalls or places where the cows are milked shall be provided with clean floors. The accumulation of urine, manure, stagnant water, or other filth, shall not be permitted in any

stable or place where milk cows are kept to that extent that the cows may become be-fouled by lying in or walking through same.

Sec. 1330. Water Closets ,Urinals, etc. Not Allowed—No Other Animals kept in same Place.—No water-closet, cess-pool, urinal, habited room, or workshop shall be located within any building or shed used for stabling cows for dairy purposes; nor shall any fowl, hog, horse, sheep, or goat be kept in any room used for such purposes.

Sec. 1331. No Accumulations of Filth Within Twenty Feet of Stalls.—No accumulation of manure, urine, stagnant water, or other filth shall be permitted within twenty feet of the stalls or place where cows are kept.

Sec. 1332. Buildings Shall Be Kept in Good Repair and Cleanly.—Every building or shed for keeping cows for dairy purposes shall be kept clean and in good repair, and well painted or white-washed.

Sec. 1333. Cows Diseased with Infectious Diseases, or Nearing Parturition—Milk Shall not be Sold.—Milk from cows suffering with tuberculosis, actinomycosis, Texas fever, abscess, or any other contagious or infectious disease, and milk from cows twenty days previous to and ten days after parturition shall not be marketed in the City of Atlanta.

Sec. 1334. Dairy Inspector to be Promptly Notified of Existence of Infection.—It shall be the duty of every person having charge or control of any premises, upon which cows are kept, to notify the Dairy Inspector of the existence of any contagious disease or serious or recurring inflammation, or abscess of the udder, immediately upon the discovery thereof, and to immediately isolate such cow or cows, and keep same away from the herd until permission is granted in writing by the Dairy Inspector to permit such cow or cows to return to the herd.

Sec. 1335. Garbage, Swill, Etc., not to be Fed to Milk Cows.—It shall be unlawful for any dairyman to feed to milk cows or have in his possession with intent to feed to milk cows, any garbage, swill, refuse, wet brewers' grain, or other improper food.

Sec 1336. Milkers Shall be Thoroughly Clean.—All milkers and other attendants who handle the milk or cream, which is offered for sale, or delivered in the City of Atlanta, shall be personally clean, and all such persons before entering upon their duties shall thoroughly wash their hands with soap, and no milker shall be permitted to wash the teats of the cow with milk or water in the milk bucket, or to milk the cows with wet or moist hands.

Sec. 1337. Infections Diseases Discovered to Be Immediately Reported to Health Officer.—It shall be the duty of any person having charge or control of any premises upon which milk or cream is produced, handled, stored, or distributed, to notify the Health Officer immediately upon the discovery of diphtheria, measles, membranous croup, scarlet fever, small-pox, typhoid fever, or any other contagious or infectious disease upon such premises.

Sec. 1338. No Milk Then to be Sold Until Danger Passed—Health Officer Must Certify.—No milk or cream shall be sold or exchanged, given away, or in any manner distributed from such infected premises until all danger of the spread of the disease shall be removed, and the Health Officer certifies to that effect.

Sec. 1339. No Milker or Attendant to Visit Infected Places.—Any person, who attends to cows, or milks them, or who has the care or handling of vessels for the sale, storage, or distribution of milk or cream, shall not enter any place or premises wherein exists any of the diseases mentioned herein. Nor shall any such have any communication, direct or indirect, with any person, who resides in or is an occupant of such infected place.

Sec. 1340. Milk Wagons Must Be Neat and Clean—In Good Repair—Not Used for Hauling Other Objectionable Materials.

All vehicles used for hauling or distributing milk or cream must be kept neat and clean, and in good repair, and must not be used for hauling manure, slops, or anything else of an objectionable nature, and must be provided with a covered top of canvas or other material which will protect all vessels containing milk or cream from the rays of the sun.

Sec. 1341. Name of Licensee and Number of Permit on Each Wagon.—Each vehicle used for hauling or distributing milk or cream shall have printed on each side in letters not less than three inches the name of the dairy, the name of the person to whom such permit was granted, and the number of such permit.

Sec. 1342. Milk Depots—Thoroughly Clean—Screened—Floor of Cement or Tiling.—All milk depots and places for handling milk must be kept thoroughly clean throughout, and must be screened so as to exclude all flies. The floors of milk depots must be of cement or tiling. The room, in which milk is handled or kept, shall be screened, or protected in such manner as to be free from flies and bugs.

Sec. 1343. Milk to be Strained at Once.—All milk shall be strained as soon as milked.

Sec. 1344. Sold as Milked from the Cow—Not Passed through Apparatus.—All milk must be offered for sale as milked from the cow, and shall not be passed through cream separators or other apparatus other than strainers for the purpose of removing manure, dirt or other substance.

Sec. 1345. Marketed as Soon as Possible After Milking.—All milk shall be marketed as soon as possible after milking.

Sec. 1346. Limit of Bacteria Contained.—All milk brought into the City, or sold, or offered for sale in the City, must not contain more than 100,000 bacteria per cubic centimeter.

Sec. 1347. Must Be Free from Foreign Substances.—It shall be unlawful for any person or persons to bring or receive into the City of Atlanta, for sale, or to sell any milk, which contains

any manure or dirt (that is, in quantity sufficient to be detected with the naked eye after milk has been standing for one hour or more).

Sec. 1348. Regulation as to Refrigerators.—No milk shall be kept in ice-boxes or refrigerators, which are in any way connected with sewers or cess-pools; nor shall any milk be kept in the same compartment of any ice-box or refrigerator, in which meats or other articles of food are kept.

Sec. 1349. No Milk Can be Delivered to Houses Placarded as Containing Cases of Contagious Disease, in Bottles.—It shall be unlawful for any dealer in milk or cream, or his agents, to serve milk or cream in bottles to any dwelling that has in it any contagious disease, or that is placarded by the Department of Health for contagious disease until such placard has been removed by the proper authorities. This section is not intended to prevent the delivery of milk or cream to such dwellings.

Sec. 1350. Cannot Remove the Bottles from Infected Dwellings.—It shall be unlawful for any person to remove from such dwelling any bottles or receptacles, which have been or are to be used for the purpose of receiving or storing milk or cream.

Sec. 1351. Can Only Bottle Milk at the Dairy.—It shall be unlawful for any dealer in milk or cream, or his agents, to bottle, or cause to be bottled, or to be placed in jars or cans, any part of his milk or cream supply, while upon the wagon, or at any other place than the dairy or milk depot.

Sec. 1352. Milk Offered for Sale in Restaurants and Hotels—Temperature—Limit of Bacteria.—All milk kept for sale, or offered for sale in milk depots, hotels, restaurants, lunch rooms, ice cream factories, etc. shall be kept at a temperature below 50 degrees Fahrenheit, and must not contain more than 100,000 bacteria per cubic centimeter.

Sec. 1353. No Adulteration Allowed.—It shall be unlawful to sell, offer for sale, or have on hand for sale, any milk, cream, but-

ter or cheese containing any preservatives of any kind, or adulterated milk, cream, butter or cheese.

Sec. 1354. "Adulterated Milk" Defined.—The words "adulterated milk" as used in this ordinance mean:

Milk containing more than 88 per centum of water.

Milk containing less than 12 per centum of milk solids.

Milk containing less than 3.6 per centum of butter fats.

Milk, which has been diluted with water or other fluids, or to which has been added, or into which has been introduced, any foreign substance whatever.

Milk drawn from animals fed on distillery waste, wet brewer's grain, or any substance in a state of fermentation or putrefaction, or on any unwholesome food.

Sec. 1355. Cream—Percentage of Fats—No Foreign Substances.—Cream sold, or offered, or kept for sale as such, must contain at least 20 per centum butter fats, and must not contain any foreign substances or coloring matter, and must not contain more than 500,000 bacteria per cubic centi-meter.

Sec. 1356. Ice Cream—Percentage of Fats—Factories Must Have Tiling or Cement Floors.—Ice cream sold or kept for sale as such must contain at least 10 per cent. butter fats, for fruit ice-cream, and 12 per cent. for plain ice-cream. All ice cream factories, or other places, where ice cream is manufactured for sale, must have floors of tiling or cement.

Sec. 1357. Skimmed Milk—Restrictions—Requirements.—All milk which contains less than 3.6 per cent. butter fats, and not less than 10.5 total solids, which is of specific gravity between 1,030 and 1,038, which is free from foreign addition of any kind, and conforms to the requirements of sweet milk, as regards temperature and number of bacteria per cubic centimeter, except where being ripened for buttermilk, shall be known as "skimmed milk," and may be lawfully sold as such, if all vessels, cans and packages be distinctly marked in a conspicuous place on the outside of each container with the words "Skimmed Milk" in letters.

Sec. 1358. Cleaning Bottles and Vessels.—All cans, bottles, or vessels of any kind used for holding milk or cream must be cleansed at least once a day with soap or soda, or other cleansing preparations made for the purpose, and then rinsed with boiling water. They should always be cleaned as soon as emptied.

Sec. 1359. Copies of Above Provisions Displayed in Each Dairy.—Copies of these provisions are to be printed on large cardboard, and a copy of same delivered with each permit, or renewal of same, and said copy must be posted in a conspicuous place in the dairy or milk depot of party holding such permit.

Sec. 1360. Penalty for Violation of Milk Ordinance.—Any person, firm or corporation, their agent or employees, who shall violate any of above provisions, shall be deemed guilty of an offense, and upon conviction thereof in the Recorder's Court shall be punished by fine not less than \$10.00, and not exceeding \$200.00, or sentenced to work upon the public works for a term not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1361. Assistant Inspector of Dairies.—In addition to the Inspector of Dairies in the City of Atlanta, as provided for in ordinance heretofore adopted, an Assistant Inspector of Dairies shall be appointed, who shall be paid the sum of \$83.33 per month, and immediately after the adoption of this ordinance the Board of Health shall select an Assistant Dairy Inspector, who shall hold his office until the term of the present Chief Dairy Inspector shall expire, and then be elected for a like term with the Chief Inspector of Dairies now in office.

Sec. 1362. Duties of Assistant Inspector of Dairies.—The duties of said Assistant Inspector, to be elected under this ordinance, shall be of like nature with those of the Inspector now in office.

Sec. 1363. Slaughter House Regulations—"Person" and "Meat" Defined.—The word "person" hereinafter used, means either an individual, firm, corporation or an agent, officer, or em-

ployee of the same. The word "meat" hereinafter used means the meat or product of any cattle, swine, goat or sheep, or any other animal other than those coming under the head of game. The word "live stock" hereinafter used means cattle, swine, goats, sheep or other animals (except those coming under the head of game) whose meat is used as food.

Sec. 1364. Meat Must Bear Stamp of Inspection, as Provided by Law.—No person shall sell, offer for sale, or have on hand for the purpose of sale, meat that has not passed, and does not bear the stamp of inspection provided for by the law of the United States of America governing interstate shipment of meat, or the ordinances of the City.

The Board of Health of the City shall have one or more inspectors or surgeons, whose duty it shall be to inspect all live-stock and meat, where such live stock and meat are to be sold, offered for sale, or kept on hand for the purpose of sale in the City, and to condemn all such live stock and meat found to be diseased, unhealthy, unsanitary, or otherwise unfit for food, or not inspected and slaughtered as herein required, provided that said condemnation shall be limited to such diseases and conditions as are defined in preceding section of this ordinance.

Sec. 1365. Must Be Slaughtered According to Law—Afterwards Inspected.—No meat shall be sold, offered for sale, or kept on hand for the purpose of sale, within the City, which has not been slaughtered as required by this ordinance, or conformably to the requirements of the laws of the United States aforesaid, and afterwards inspected on the cars, as provided by this ordinance.

Sec. 1366. Seals of Car Must be Broken in Presence of Inspector.—Where meat is brought into the City from other States, and bears the marks provided for interstate shipments, as above mentioned, yet said meat shall not be sold, offered for sale, or kept on hand for the purposes of sale, within the City, unless the seals of the car, in which same was transported were broken in the presence of an Inspector appointed by the Board of Health and said meat inspected before being taken therefrom. If said Inspector shall condemn all or any of said meat as unsound or

unfit for food, he shall cause same to be destroyed or removed from the City.

Sec. 1367. Specifications for the Erection and Maintenance of Slaughter-Houses.—Any person desiring to erect or maintain a slaughter house, shall make application to the Board of Health, stating name of applicant, occupation, residence, location and plan of proposed building and his experience in operating said business. This application shall be immediately investigated by the Board of Health, and, if the applicant is found to be a man of good character, and of sufficient experience, and the proposed building is or will be constructed according to the requirements of this ordinance, the application shall be granted. Otherwise refused.

Buildings or structures, built or operated for slaughtering purposes, and licensed by the Board of Health, shall have the floors thereof made of cement or concrete or asphalt, with the proper decline, leading to gutters, for carrying away waste and water to a prepared place of deposit; Provided, that wooden blocks may be set in said floors, at proper distances, so that pritch-sticks can be used in flaying cattle. Rendering tanks, where required under this ordinance, or when hereafter required by the Mayor and General Council, shall be constructed, so as to permit the condensation of all gasses and vapors arising from tanks in process of cooking, and the dryer, in which the tankage is dried, shall be furnished and operated with a condenser.

Where slaughtering business is carried on, there shall be provided a system of hot and cold water, and a method of furnishing steam in and to the slaughtering room, and that the building must be flushed and scalded daily, while slaughtering is being carried on.

Where packing is done at the slaughtering house, a chilling room shall be prepared, and maintained, capable of a temperature of at least forty-five degrees. Also a cooling room shall likewise be prepared and maintained, capable of lower temperatures. Likewise, where packing is carried on at the slaughtering house, ample and proper constructions shall be prepared and maintained in such slaughtering house for refrigerating the meats and products, so that the same may be preserved from the varying temperature of outside air.

It is a condition of the above specifications that those constructing or maintaining slaughter-houses under license from the Board of Health, shall do so, subject to future ordinances, requiring such changes therein from time to time as the Mayor and General Council may require by ordinance. In addition to the above, without specifying all the details of construction required, each person constructing or maintaining a slaughter-house, or packing-house, shall have such a building as conforms to sanitary construction and maintenance, whereby the health of the consumer may be served, and the best sanitary conditions preserved in and about licensed houses.

Sheds, stables, pens, and other enclosures, where the cattle, hogs, etc. are kept, shall be so constructed as to be capable of drainage and ventilation, and they shall be kept in a clean and sanitary condition. The said drains shall be constructed so as to carry off and discharge their contents, and the place of discharge shall be perfected so as not to form a nuisance. When necessary, concrete or vitrified brick floors and passage ways in hog-pens and cattle-pens may be required, if necessary to preserve a sanitary condition.

Sufficient and proper equipments, refrigerator rooms, shutters, hog-scalders, boilers, tables for cleaning viscera and organs, vats for receiving fats, where the above are required under this ordinance, shall be furnished and maintained in a clean and sanitary condition.

The Board of Health shall print the above requirements, in convenient form, and distribute them, free of cost, to anyone desiring same.

Sec. 1368. Inspection of Live Stock Before Killing—Stamped After Killing—Inspection of Slaughtered Meats, Etc.—The Board of Health shall require one or more inspectors to inspect all live stock, before same are killed, and mark same in some permanent form, showing either acceptance or rejection. Only such as are accepted shall be slaughtered for food. Such as are rejected shall be removed from the City, or sold for purposes other than food.

Before slaughtering any live stock, the slaughter-house proprietor or agent, or person in charge of same, shall notify the Board of Health to inspect such live-stock. If slaughtering is

done without such inspection, and afterwards meat therefrom sold within the City, such action shall be ground for forfeiture of license of such slaughter-house by the Board of Health.

After such meat is slaughtered, same shall be stamped in such manner and in a sufficient number of places as to be recognized and observed by the trade, and shall be done by an Inspector duly authorized by the Board of Health.

When inspection is desired, notice thereof shall be given to the Board of Health at least two hours prior to the time of killing, and whenever so given, inspection shall be had, and the live-stock marked as aforesaid, and said stock shall be slaughtered immediately under the supervision of the Inspector. Live-stock, in car-load lots, will be inspected at any licensed slaughter-house within a radius of one and one-half miles of the City, but in less than car-load lots same must be carried to regular places designated therefor by the Board of Health, and inspection there had.

No meat shall be sold, offered for sale, or kept on hand for the purpose of sale, within the City, which has not been inspected before and after killing, as herein required. Where meat from slaughter-houses is sold or offered for sale, within the City, without such inspection and without bearing the stamp herein required, same shall be condemned, and either destroyed or caused to be removed from the City. The Board of Health is hereby empowered to forfeit the license of such slaughter-house for a violation of this section or of any section of this ordinance, at any time and at the pleasure of said Board.

Sec. 1369. Inspection Necessary—Condemn Live Stock Infected now or heretofore—Stock too Young—Immature—Still-Born, etc.—No meat shall be sold or offered for sale or kept on hand for the purpose of sale within the City of Atlanta from cattle, hogs, goats, or sheep, that has not been inspected; as above required. In such inspections, the officers of the City or inspectors of said department shall condemn all cattle, hogs, goats, or sheep, which have or have had hog cholera, swine plague, anthrax, or charbon (a carbuncle; a suppurating tumor of the cellular tissue, caused by the infection from animals suffering from splenic apoplexy, due to bacillus, which from single center extend over the body, and invade the intestinal tract,

etc.), rabies, malignant epizootic catarrh, pyemia, and spectice-mia (blood poison from abscesses in various parts of the body), mange or scab, astinomycosis (a parasitic disease, when affecting the lungs and the digestive tract, is of a dangerous character), or lumpy jaw, pneumonia, pleurisy, enteritis (inflammation of the intestines), peritonitis (inflammation of the membrane lining the interior of the abdominal cavity and surrounding the viscera) metritis (inflammation of the uterus), fever known as "Texas fever," tuberculosis, hemorrhagia, septicemia, black-leg, and all live stock, wherein advanced pregnancy exists, which shows signs of preparation for parturition. Live-stock too young and immature to produce wholesome meat, especially unborn or still-born animals and calves weighing less than fifty pounds, "bobbed" pigs weighing less than ten pounds, and lambs and kids weighing less than twelve pounds. All such live-stock shall be condemned as unwholesome and unhealthy, and shall not be slaughtered within houses licensed by the Board of Health, nor meat therefrom sold within the City.

Animals suffering from any disease or injury, causing elevation of the temperature or affecting the system of the animal, or animals suffering from diseases known as caseous lymphadenitis (inflammation of the lymphatic glands, having a cheesy consistence), parasitic ictero immaturia (an affection caused by jaundice), hogs affected with urticaria (an eruption of the skin and inflammation, causing a raised strip or ridges in the skin), animals having icturus (jaundice), or suffering from uremia (blood poison from diseased kidneys). Any animal in a state of disease or evidencing lack of strength, which renders same unfit for food, shall each and all be condemned by the inspectors, and shall not be killed at licensed slaughter houses under penalty of forfeiting the license.

Sec. 1370. If Inspection Shows Evidence of Disease—Certain Parts Retained until after Post-Mortem Examination.—Where any animal, at the time of inspection shows evidences of disease, or the inspector suspects disease therein, the owner or person in charge thereof shall be notified, and the slaughter-house, where same is killed, shall retain the head, tail, gall, the fat canals of the omentum of the animal, and the entire viscera, in such manner as to disclose their identity, until after the post-

mortem inspection has been completed, so that such animal may be identified, and its carcass condemned, if unfit for food.

Sec. 1371. If Condemned—Disposition.—Should the carcass of any animal, on post-mortem examination, be found diseased or otherwise unfit for food, it shall be marked with a condemnation tag, in some permanent form adopted by the Board of Health, and its organs and removed parts shall be likewise marked, and no part thereof shall be sold for food. Where rendering tanks are operated, all condemned carcasses and parts shall be placed in a tank, and treated in such manner as to destroy the meat for purposes of food, under the direction of an inspector. The Board may dispense with such tanks, and, in such cases, all carcasses or parts condemned shall be removed from the premises under special permit therefor from an inspector, who shall see that the carcasses and parts, so condemned, are either destroyed or used for purposes other than food.

Sec. 1372. Specifying as to the Slaughtering of Animals.—All animals slaughtered under the requirements of above provisions shall be killed and prepared as follows: The live-stock shall be driven directly from the pens to the slaughtering-floor. When killed, the entrails shall be removed as quickly as possible, and passed through a galvanized iron chute, or carted with metal trucks, which shall be the only kind of trucks used in and about the premises, to the offal-receiving room, or floors, where the parts shall be separated for the various uses in manufacturing. The building must be frequently flushed and scalded, after the day's business, by turning on sufficient live steam to thoroughly cleanse the building, and all its parts, and keep the room just described especially free from any germs or insects.

Sec. 1373. Live Stock, After Slaughtering, Moved at Once to Screened Portion of House—Must Be Refrigerated within Six Hours.—Each slaughter-house will have a portion thereof screened and wired, subject to the approval of the Board of Health, both as to size of room and method for screening same. As soon as the live-stock are slaughtered and flayed, they shall be immediately carried to this screened portion, and kept there, but, if kept over six hours at the slaughter-houses, refrigerating

rooms must be provided, in which the meat and parts must be stored. If meat is removed from the slaughter-house without refrigeration, it shall be refrigerated elsewhere within the six hours.

All slaughtering and dressing of animals shall be done between the hours of seven A. M. and eight P. M. All offal, refuse, and similar matter shall be immediately removed by eight P. M. All receptacles, such as tubs, etc. shall be daily cleansed and disinfected. Copies of the above regulations shall be furnished and circulated, free of cost, by the Board of Health.

Sec. 1374. Inspection Necessary before any Sale of Meat Can Be Made.—These requirements shall not prevent producers in this or other Counties of the State from selling their live-stock or meat therefrom, within the City, but same shall not be here sold until inspected and slaughtered, as herein required.

Sec. 1375. Prices for Slaughtering.—Every licensed slaughter house shall slaughter for the public, without discrimination, and the charges for slaughtering live-stock and for all other service, except cold storage, including killing and cleaning, as follows: Maximum price:

Cattle	\$1.25
Calves .....	.35
Hogs, sheep, lambs and goats .....	.30

Sec. 1376. These Provisions Confined to Fresh Meat.—These provisions shall not apply to the sale of salt, pickled, smoked or canned meats of any kind.

Sec. 1377. Sanitary Clothes for Employees—Infected Employees Not Allowed—Certificate as to Health Required.—All employees working in or around said licensed slaughter-houses shall wear special sanitary clothes of a kind approved by the Board of Health. No employee shall work in or around said slaughter-houses, when suffering from tuberculosis, or any contagious disease. Each employee thereof shall bear a certificate that he is free from said diseases, such certificate being issued by the Board of Health or its authority.

Sec. 1378. Preservatives—What Kind Used.—The only preservatives to be used in or upon said meat, or to be kept or stored in or around said slaughter-houses, shall be salt, sugar, vinegar, pure spices, or wood smoke.

Sec. 1379. Marks of Inspection Not to Be Counterfeited.—No person shall counterfeit the marks of inspection, prepared and furnished by the Board of Health, for or on live-stock or meat, as provided by this ordinance. No person shall endeavor to influence, in any improper manner, any inspector or surgeon, employed by the City, to carry out the plans of this ordinance.

Sec. 1380. Penalty for Selling Meat Not Slaughtered in Accordance with these Requirements.—It shall be unlawful for any person to sell, offer for sale, or have on hand for the purpose of sale, any meat, within the City, which has not been inspected and which does not come from live-stock slaughtered as required by above provisions, and, on conviction thereof in the Recorder's Court, such person shall be punished by a sentence on the public works for a term not exceeding thirty days, or by a fine not exceeding one hundred dollars, either or both punishments to be inflicted in the discretion of the Recorder.

Sec. 1381. Penalty for Selling Meat Not Slaughtered at a Licensed Slaughter-House, or Inspected According to Law.—It shall be unlawful for any person to sell, offer for sale, or have on hand for the purpose of sale, any meat from animals not slaughtered at a slaughter-house licensed by the Board of Health or not inspected and branded under the laws of the United States aforesaid, and, where so inspected, delivered from cars, whose seals have been broken, as herein provided, and on conviction thereof in the Recorder's Court, such persons shall be punished by labor upon the public works for a term not exceeding thirty days, or by a fine not exceeding one hundred dollars, either or both punishments to be inflicted in the discretion of the Recorder.

Sec. 1382. Penalty for Selling Meat Not Inspected Before and After Slaughtering, Etc.—It shall be unlawful for any person to sell, offer for sale, or keep on hand for the purpose of sale, meat from an animal, which has not been inspected before kill-

ing by an Inspector appointed by the Board of Health of the City, or inspected under the laws of the United States governing interstate shipments of meat, and any person violating this provision shall, upon conviction therefor in the Recorder's Court, be punished by sentence to labor on the public works for a term not exceeding thirty days, or a fine not exceeding one hundred dollars, either or both punishments to be inflicted in the discretion of the Recorder.

Sec. 1383. Penalty for Selling Meat that Does not Bear the Stamp—Inspected After Slaughtering.—It shall be unlawful for any person to sell, offer for sale, or keep on hand for the purpose of sale, meat, which has not been inspected, after being slaughtered as herein required and which does not bear the stamp of acceptance, prepared under this ordinance, or as required by the laws of the United States governing interstate shipments of meat, and any person violating this provision shall, on conviction therefor in the Recorder's Court, be punished by a sentence to labor on the public works for a term not exceeding thirty days, or by a fine not exceeding one hundred dollars, either or both punishments to be inflicted in the discretion of the Recorder.

Sec. 1384. Board of Health, Inspectors, and Others to Enforce. It is hereby made the duty of the Board of Health, the inspectors, and the veterinary surgeons in said department, to see that the provisions of above sections are strictly complied with, and to prosecute any person violating the same.

Sec. 1385. Stables and Surface Closets—Stables to be Kept Clean—Sanitary.—It shall be unlawful for any person owning, or in possession of, or controlling the use of any stable, pen, shed, stall or similar place within the city wherein animals are kept for any purpose for any length of time, to keep such stables and other places above-mentioned, or allow same to become filthy, noisome or unsanitary.

Sec. 1386. Horse and Cow Stables Must Be Provided with Manure Bin or Pit—How Built and Kept.—Every person owning, operating or controlling the use of any building or part of

building, or any place within the City who have one or more horses, mules, cows, or other like animals kept in same, shall maintain in connection therewith a bin or pit in which the manure from said animals shall be placed, pending removal. Said bin or pit to be provided with covers of sufficient strength and close-fitting to prevent the ingress and egress of flies. Said bin or pit to be located at a point most remote from any dwelling, or other structure, owned or occupied by others than the owner of the premises above mentioned, and shall likewise be placed at a point most remote, on the premises, from any street or avenue.

Sec. 1387. Manure, How Disposed of—May Use on Own Lot When—May Sell or Remove.—It shall be unlawful for any person to hold such manure on said premises, in said bins or pits after same shall have become noisome or unsanitary, provided, however, any of said persons may use said manure upon their premises for the purpose of enriching their own ground, or for any other use to which manure can properly be put, when same is not offensive nor unsanitary. And, provided further, that any person, firm or corporation, may remove manure from bins, pits or other places where deposited, as required by this ordinance, for any purpose where such manure has not become offensive or unsanitary.

Sec. 1388. Inspection of Manure Bins—Wagons Hauling Must Not Drop on Street.—It shall be the duty of the Sanitary Inspectors to inspect such bins or pits and require same to be emptied as required by the terms of this ordinance. All wagons used for the removal of said manure shall be so constructed as to prevent same from being dropped or spilled along the street or otherwise being dropped, spilled or scattered along the streets or public places within the City.

Sec. 1389. City Remove Manure for \$2.00 Per Year.—Any person, firm or corporation, owning any stock as are enumerated in above provisions, may, by paying to the City of Atlanta the sum of Two Dollars (\$2.00) per annum on each head of stock owned by them, be relieved from removing said manure from the bin or pit in which the same is required to be deposited, said

City on payment of such fee, undertaking to do the work of removing same. The sum of \$2.00 for each head of stock, as provided to be paid, shall be paid to the City Tax Collector, and receipt given by said Tax Collector for the same, and upon the filing of said Tax Collector's receipt for the amount so paid, with the Chief of the Sanitary Department, it shall become the duty of said Sanitary Department of said City to remove the manures required to be removed from the premises of such person, firm or corporation owning stock as enumerated in said ordinance.

Sec. 1390 Garbage Cans—How Constructed—Garbage Not Scattered Over Lot.—Every person, firm or corporation owning, operating or using any place of business, or building for residential purposes, or room or yard wherein garbage is collected, said garbage shall be placed in a receptacle of sufficient strength and size to hold all the garbage placed therein, so as to prevent same from spilling through or wasting therefrom, and such receptacle shall likewise be provided with a top securely fastened thereon, which shall prevent odors from escaping from such receptacle.

Sec. 1391. Surface Closets Must Have Water-tight Receptacles—Compartments, How Built—Covers.—Every person, firm or corporation owning, controlling or using premises having thereon surface closets or privies having no water and sewer connection shall provide same with water-tight receptacles for holding the excreta deposited therein. The compartment containing this receptacle shall be so constructed as to be tight fitting and prevent as far as practicable the escape of odors therefrom, the top of this compartment shall be provided with close-fitting covers which will prevent the escape of odors when the closets or privies are not in use.

Sec. 1392. Penalty.—Every person, firm or corporation, their agents or assigns, violating any of the terms of this ordinance shall on conviction in the Recorder's Court be punished by a fine not exceeding One Hundred (\$100.00) Dollars, or imprisoned not exceeding thirty days upon the public works, for each offense, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER LI.

HORSES AND MULES—CATTLE, DOGS, ETC.—CRUELTY TO ANIMALS.

Sec. 1393. Stray Live Stock to Be Impounded—Sold at Public Outcry—Owner May Identify—Conditions.—Whenever the police force shall find any hog or hogs, goat or goats, horse or horses, mule or mules, and any other live-stock (not including milch cows) running at large in the corporate limits of the City of Atlanta, it shall be their duty to take up and put said hog or hogs, goat or goats, horse or horses, mule or mules, or any other live-stock, in pens or lots, and, after ten days' notice in four of the most public places of the City, to sell the same at the place, in which they are confined, at public outcry, to the highest bidder; provided that the owner of said hog or hogs, goat or goats, horse or horses, mule or mules, or other live-stock, shall be entitled to the same by proving property, and paying the sum of one dollar per head, and all expenses before sale; provided, further, that it shall not change or modify the ordinance in reference to the hours in which horses and mules may be driven through the streets.

Sec. 1394. Letting Down Enclosures—Live Stock Escapes to Run At Large—Penalty.—Any person, who shall hereafter suffer his or her hog or hogs, goat or goats, horses or mules, or any other live-stock to run at large in any street or public place in the City of Atlanta, or who shall let down the fence or any bars, or open any gate of any enclosures, where any hog or hogs, goat or goats, horses or mules, or any other live stock may be confined by virtue of an ordinance of the City of Atlanta, for the purpose of permitting or allowing said hog or hogs, goat or goats or other live-stock, to escape therefrom, shall upon conviction before the Recorder's Court, pay a fine of not exceeding one hundred dollars, and cost of trial, or be imprisoned in the station-

house or common jail of the County not exceeding thirty days in the discretion of the Court.

Sec. 1395. Hours When It Is Unlawful to Drive Mules through Streets.—It shall be unlawful to drive any unhaltered horses or mules, in droves of more than five in number, through the streets of the City, between seven and eight-thirty A. M. o'clock, and between one and two-thirty P. M. o'clock.

Sec. 1396. Unhaltered Mules not to Be Driven through Residence Streets or Park Places.—It shall be unlawful for any person or persons to drive unhaltered horses or mules through the resident portions of streets or park places, where the citizens have no fences or enclosures for their yards or lawns at any time; provided these requirements shall not be so construed as to prevent the driving of unhaltered horses or mules through any portion of such business streets as Marietta and Decatur streets.

Sec. 1397. Penalty for Violation.—Any person violating above provisions shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1398. No Cattle Allowed to Run at Large.—No cattle of any kind shall be permitted to run at large either day or night, upon any street of the City or elsewhere in the City limits.

Sec. 1399. Cattle Impounded Advertised and Sold—How—Proceeds—How Disposed of.—When any cattle shall have been taken up twenty-four hours and uncalled for, the Chief of Police shall, after advertising the same three times in the daily City papers, sell the same to the highest bidder at public outcry. It shall be the duty of the Chief of Police to pay to the City Tax Collector, daily, all moneys collected under this ordinance.

Sec. 1400. Owner Repaid Proceeds of Sale—Deductions—When—How.—Any person, whose cattle may have been sold, under the above provisions, shall, by making proper proof of ownership, be repaid the proceeds arising from the sale of such

cattle, after deducting expenses of advertising, feeding and selling, by petition to Mayor and General Council.

Sec. 1401. Impounded Cows to Be Cared for—Milked, etc.—It shall be the duty of the officers in charge of the pound, in which cows are confined, under the foregoing sections, to have such cows regularly milked and cared for, so as not to be injured in their milk-giving qualities.

Sec. 1402. Penalty for Allowing Cattle to Run at Large.—Any person owning or controlling any cattle, that shall be allowed to run at large in said City, in violation of above sections, shall, on conviction, be fined in a sum of not more than one hundred dollars, or imprisoned not longer than thirty days, either, or both, in the discretion of the Recorder's Court.

Sec. 1403. Governing the Impounding of Cattle—Advertising Selling—Disposition of Proceeds—When and How Repaid.—The cattle so found running at large shall be taken up by any member of the police force, and confined in a place to be provided for that purpose, and, if unclaimed within twenty-four hours, the Chief of Police shall, after advertising the same for three days in one of the daily papers, proceed to sell the same to the highest bidder, and the sum realized from the sale thereof shall be held subject to the claims of such owner for six months, during which time the owner may, under proper proof of ownership, and the payment of cost of advertisement and sale, and fifty cents per day for each head of cattle kept by the City for such lengths of time, as they were kept before sale, for expenses of keeping the same, receive the same, and upon his failure to make such proofs within six months from the date of sale, the proceeds as aforesaid shall be added to the receipts of the Recorder's Court, and, as such, go into the City Treasury.

Sec. 1404. Shall not Graze on Lots without Permission from Owner—Penalty.—No person shall be permitted to herd or graze cattle or other stock on any lot within the corporate limits of said City without first securing permission in writing from the owner, or agent of the owner, of such lot. And any person

so offending shall, on conviction before the Recorder's Court of said City, be punished by a fine not exceeding one hundred dollars, or by imprisonment not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1405. Such Stray Cattle Considered as Running at Large—Same Disposition to be Made of Them.—Any cattle or other stock found upon any lot, contrary to the provisions of this ordinance, shall be considered as running at large, and shall be taken up, advertised and sold, in accordance with the above provisions.

Sec. 1406. Dogs Running at Large—Must Wear Tag or Plate—Imprisoned, if Without Same—Persons Employed to Impound Dogs.—No dog shall be permitted to run at large in the City of Atlanta, unless such dog shall wear a tag or plate, such as is prescribed by this ordinance, and any dog found without such tag shall be caught by any member of the police force, and any other person, and imprisoned in a pen to be kept for that purpose; and the City Clerk of Atlanta shall employ one or more persons, at a stipulated price, not to exceed five dollars per day in the aggregate, for the capture of such dogs, and the disposition thereof; such persons to furnish their own appliances and help.

Sec. 1407. No Vicious Bulldog to Run at Large unless Securely Muzzled.—It shall be unlawful for any person, firm, or corporation to cause or permit any vicious bulldog or bull terrier, owned or kept by such person, firm, or corporation, to run at large on any street, alley, or other public place within the City at any time, unless such dog shall be securely muzzled, so as to effectually prevent it from biting any person or animal.

Sec. 1408. Penalty for Violation.—Any person, firm, or corporation found guilty of the violation of above provisions, and upon conviction before the Recorder, shall be fined not less than five dollars, nor more than fifty dollars, or confined in the stockade not exceeding thirty days, in the discretion of the Recorder, for each offense. Every day on which such vicious bulldog or

bull terrier shall be permitted to run at large, in violation of this ordinance, after the first conviction under this ordinance, shall constitute a separate and distinct offense.

Nothing herein shall be held to require the muzzling of any such dog, while on any private premises, or while on any street, alley or other public place, if such dog shall be led by a chain or in leash, in such manner as to prevent such dog from biting any person or animal.

Sec. 1409. Tags for Dogs—Income from Same—By Whom Received—To Whom Turned Over.—Each year the Chairman of the Tax Committee may have dog-tags prepared, and have a list made of same, which shall be turned over to the Comptroller, who shall copy the same in a book with consecutive numbers of the tags, which shall be charged up to the City Clerk, and sold by him at one dollar and twenty-five cents for each tag. The Clerk shall return daily to the Tax Collector the money received from sale of tags, reporting to the Comptroller the amounts so received, name of purchasers and number of tags, and upon exhibition of the receipt of the Tax Collector shall receive credit, and the Treasurer be debited with the amount. Said tag shall only be good for the year, in which it is sold.

Sec. 1410. Claimants of Dogs Impounded—How Possession Obtained.—The owner of any dog caught and imprisoned as aforesaid shall be entitled to the possession of said animal upon the proof of ownership and the payment of one dollar into the City Treasury, and the purchase of a tag at the price aforesaid.

Sec. 1411. Record of Purchases of Tags—Penalty for Counterfeiting.—The Clerk shall keep a record of all persons, who procure such tags, and, if any person shall counterfeit or use any tag not purchased as aforesaid, he or she shall, on conviction, be fined not exceeding forty dollars and costs, in the discretion of the Recorder's Court.

Sec. 1412. Unclaimed Dogs Killed—How Long Kept.—All dogs not claimed within twenty-four hours after being caught and imprisoned, as aforesaid, shall be conveyed by the person authorized outside the City limits, and killed.

Sec. 1413. No Dogs Allowed in the Park.—From and after the passage of this ordinance, it shall not be lawful for any person to permit his or her dog or dogs within the limits of the L. P. Grant Park.

Sec. 1414. Penalty for Violation.—Any person violating above provisions shall, upon conviction thereof before the Recorder's Court, pay a fine not exceeding ten dollars and costs of trial, or be imprisoned not exceeding thirty days, in the discretion of the Court.

Sec. 1415. Female Dogs in Heat not Allowed to Run at Large—Owner Fined—Dog Killed.—It shall be unlawful for the owner of any female dog to allow such dog to run at large, while in heat; and for every such offense the owner of such dog shall, upon conviction be fined in a sum not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both in the discretion of the Recorder's Court. And it shall be the duty of any policeman to kill said dog, when caught outside of her owner's enclosed premises, when in heat.

Sec. 1416. Cruelty to Animals—Penalty.—Any person or persons in this City, who shall overload, or cruelly treat, maim, bruise, deprive of necessary sustenance, ill-use, or in any manner whatsoever torture, or abuse, any animal or animals, shall upon conviction thereof be punished by a fine not exceeding fifty dollars and costs, for each and every offense against this section, or imprisonment not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1417. Muzzling Calves—Penalty.—Any person having within the corporate limits cows and calves for sale, who shall keep the calves muzzled, or shall otherwise prevent them from sucking, shall be arrested by the police force, and taken before the Recorder's Court, and fined for the same in a sum not exceeding ten dollars, or be imprisoned not exceeding five days.

Sec. 1418. Ordinance Preventing the Tight Reining of Horses, When Standing for Forty Minutes or More—Cruelty.—It shall

be the duty of the driver or other persons in charge of teams, drawing carriages, buggies, or other vehicles, in the City of Atlanta, to loosen the reins, so as to allow horses or other animals drawing said carriages, buggies, or other vehicles to be comfortable in all cases, where such horses or other animals have to stand near theaters, churches or other public places in the City of Atlanta for as long a period of time as thirty minutes.

Sec. 1419. Penalty.—Any one convicted in the Recorder's Court of violating the foregoing section, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days.

CHAPTER LII.

HOSPITALS—GRADY HOSPITAL.

Sec. 1420. City Pledges Itself to Maintain the Hospital.—The City of Atlanta hereby pledges itself to all contributors to the fund for the purchase of grounds and the erection of buildings for the Grady Hospital, that when said buildings are completed and ready for use, the City of Atlanta will accept and maintain said Hospital.

Sec. 1421. Acceptance of Hospital.—The Grady Hospital is accepted and the City of Atlanta hereby assumes the maintenance of said hospital, and the keeping of it open, and will from time to time provide appropriations sufficient to permanently maintain and keep open said hospital.

Sec. 1422. Board Composed of How Many—By Whom Elected—Ex-Officio Members.—The Board of Trustees of the Grady Hospital shall be composed of a member from each of the wards of the City, to be elected by the Mayor and General Council, and the Mayor and Chairman of the Committee on Hospitals and Charities for the time being ex-officio.

Sec. 1423. No Two Members from Same Ward—Except.—No two of said members shall reside in the same ward, except that the ex-officio members may reside in any ward that they may choose as a residence.

Sec. 1424. Three Year Term.—The terms of the members shall be for a term of three years each.

Sec. 1425. Increase of Number of Board Members.—The membership of the Board of Trustees of Grady Hospital, under existing ordinances, shall be increased by the addition of three members to be selected from the citizens at large, without ref-

erence to any particular ward or section. These selections shall be made by election by the Mayor and General Council at the first meeting following the approval of this ordinance, and they shall serve for a period of three years from the date of their election, or until their successors are elected. When so elected; they shall have all the rights and privileges of the other members of said Board.

Sec. 1426. Board of Trustees Prescribes Rules for Government of Hospital.—The Board of Trustees, when elected and qualified, shall have power to prescribe rules for the government of the hospital in question, and to change these rules from time to time, as experience may suggest the necessity for change; provided that the rules originally adopted, and any changes made therein, shall be subject to the approval, modification or rejection by the Mayor and General Council of said City.

Sec. 1427. Mayor Ex-Officio Member of Board of Trustees.—The Mayor shall be member ex-officio of the Board of Trustees of the Grady Hospital.

Sec. 1428. Board of Trustees Selects Suitable Place—Provisions.—The Board of Trustees of Grady Hospital are requested and directed to make a selection of some appropriate place upon grounds of Grady Hospital, for above building, and same be tendered the said Order, provided that the building is to be erected without cost to the City, and be the property of the City, when completed.

Sec. 1429. Said Addition only to be Used as Maternity Ward.—Said building shall only be used as a ward for purposes of maternity, and the furnishing of suitable and proper accommodations for that purpose.

Sec. 1430. General Ordinance as to Hospitals—Restrictions as to Location—Penalty for Violation.—It shall be unlawful for any person or persons in this City to erect or maintain any hospital, infirmary, house or place of refuge, or reformatory, or asylum, or other place where persons are received for reformation or treatment, without first having obtained the consent of the

Mayor and General Council of said City for the erection and maintenance of the same; and all applications to the Mayor and General Council for permission to erect, maintain, or carry on any place for any such purpose must plainly and distinctly show the particular locality where the same is desired, for what purpose the same is desired to be erected or maintained, and what class of persons are to be admitted to the same. Any person or persons, who shall violate the provisions of this ordinance shall, on conviction thereof, be punished by a fine of not more than one hundred dollars and imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court, for each and every offense committed.

CHAPTER LIII.

JUNK DEALERS.

Sec. 1431. Junk Dealers—License Issued—Must Have Consent of Adjoining Property-Owners.—No person, firm, or corporation, shall be licensed to carry on the business of any junk dealer or any wreckage business, in any resident portion of the City of Atlanta, Ga., except upon the written consent of all adjoining property-owners.

Sec. 1432. Application for License—How Made—How Granted—Permit May Be Issued, while Application Pending—By Whom.—All persons, firms, or corporations desiring to run a junk business, or wreckage business in the City of Atlanta, shall file an application with Council, stating the place where such business is to be located, with the name of the party in charge of the same; and there shall be no license allowed for either of such businesses until authorized by the Mayor and General Council, provided, however, the Mayor, in his discretion, may give a permit to such applicant to open and run said business, pending said application before Council, the party applying having complied with the first section of this ordinance.

Sec. 1433. Penalty for Violation.—Any person, firm, or corporation, violating above provisions shall, upon conviction before the Recorder, be fined in the sum of not exceeding one hundred dollars.

Sec. 1434. Junk Shops—Licenses Issued subject to Police Visiting Same—Inspection—Penalty if Found to be Dealing in Forbidden Articles of Merchandise.—All persons opening junk houses, and taking license for the same, as prescribed in this ordinance, or dealing in second-hand medical or law books, old gold, second-hand watches and jewelry, and surgical instruments shall be subject to visitation and inspection from the police force

of this City, and by the Mayor, or any member of the General Council. On refusal of such person or persons at any time to submit to such visitation and inspection, such houses shall immediately be closed by the Mayor; and in case any machinery, or any part thereof, or any appliance of any railroad shop or gas company, or of the waterworks, or sample, waste, or loose cotton, grates, mantels or any part thereof, gas or waterworks fixtures, copper and copper wire, or wire ordinarily used by street railroad companies, telephone and electric light companies, and heaters and boilers, dairymen and milk dealers' bottles, or second-hand medical or law books, or old gold, second-hand watches or jewelry, or surgical instruments, shall be found in such owner's junkshop or in possession of dealers in second-hand books, or old gold, second-hand watches or jewelry, without a sufficient explanation of the same, it shall subject him to a fine not to exceed two hundred dollars, or imprisonment not to exceed thirty days, or both, in the discretion of the Court. All licenses to junk dealers, or dealers in second-hand books, are granted, subject to all laws, that may be enacted in reference to such business, and especially to the provision of 1431 of this Code.

Sec. 1435. Shall Keep the Police Posted as to What Articles Are Offered for Sale—Refusal—Neglect—Penalty.—All pawnbrokers, dealers in second-hand articles, auction houses, and junk dealers, shall furnish to the Chief of Police a full and complete list each day of every article taken in pawn, or bought by said dealers, giving a full description of same, mark or marks, number, brand, monogram or letters of any kind on such articles so pawned or bought by said dealers in their place of business or anywhere outside of same, and they shall also keep accounts, showing from whom all such articles were received, and the hour of the day. And they shall have their goods arranged in stock so as to enable the same to be inspected by the Police Department. When it becomes necessary to visit such dealers, the Chief of Police will give a written order to the proper officer to perform said duty, and any such dealer, refusing to admit said officer in their place of business, shall pay a fine of not more than two hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court; and a conviction of any

such pawnbroker, or other dealer, of a violation of this ordinance, shall work an immediate revocation of the license of such offender.

Sec. 1436. Glass, Wire, Lead, etc. Unlawful to Buy or Lend On.—It shall be unlawful for junk dealers, pawn-brokers or dealers in second-hand clothing to purchase or advance money on or take in pawn, glass taken from buildings, such as mantel mirrors, art glass, etc., or copper wire, copper lining of bath tubs, lead pipes, or any kind of plumbing material sold as junk, where same is offered for sale by others than persons of known character, and in all cases, where such goods are purchased or money advanced, and such purchasers or dealers shall keep a record of such purchases or advances, showing the names of the parties from whom received, their residence, goods so taken, and the amount of money so advanced and this shall be at all times open for inspection to members of the Department of Police, and furthermore, it shall be likewise unlawful to purchase any of said goods or to advance money thereon where same indicate that they have been tampered with or there is an effort to conceal identity or same are mutilated or otherwise show an effort to destroy evidences of former location.

Sec. 1437. Keep Ten Days.—Furthermore, where such dealers purchase said goods and advance money thereon to persons claiming to be of good character, in addition to the record kept as aforesaid, the goods so purchased or taken in pawn or pledge shall be kept for the space of ten days thereafter, before same are disposed of and shall be so arranged that they can be inspected by members of the Department of Police on demand.

Sec. 1438. Penalty.—Any person, firm, or corporation, dealer or agent, violating the foregoing provisions or any of them, shall on conviction in the Recorder's Court be fined not exceeding Two Hundred (\$200.00) Dollars for each offense, or imprisoned not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1439. Further Regulation of Pawnbrokers' Business.—Any pawnbroker or person operating under a pawnbroker's li-

cense who takes goods on pawn or buys goods, taking a full title thereto, the word goods being here used in the broadest sense and including all kinds of personal property, shall hold said goods so taken for pawn or so purchased for at least thirty days before disposing of same by sale or transfer or shipment or otherwise. The reason for above requirement is that the quick sale or transfer or other disposition of goods so purchased or taken in by pawnbrokers make it difficult to trace thieves by the Department of Police, and, if such goods are held for a short while, the discovery of thieves will be assisted and the pawnbrokers constitute a quick source of disposition of goods by thieves and this regulation is deemed necessary by the Police Department.

Any person, firm or corporation doing a pawnbroker's business or operating under a pawnbroker's license or employed at the place where such business is done, who violates the terms of this ordinance, shall, on conviction in the Recorder's Court, be fined not exceeding one hundred (\$100) dollars, or imprisoned not exceeding thirty (30) days for each offense, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1440. Junk Dealers' Purchases—Certain Fixtures or Materials Must Be Kept of Record by Them as Purchased.—Junk dealers are hereby required to keep records and make reports concerning the purchase by them of machinery or parts or appliances thereof, or any appliance of a railroad shop or gas company, or of the waterworks, or of any compress company, or telegraph and battery materials, or of sample, waste or loose cotton, or grates or any part thereof, or gas or water meters or fixtures, or similar articles, glass bottles, and other devices used by milkmen in the sale of their milk (to prevent as far as possible the practice of junk dealers in buying up milk bottles, which are furnished at great cost by milkmen or dairymen), under the penalty prescribed by the next preceding section of this Code.

Sec. 1441. Purchasing Machinery—Tools—Materials Used in Shops—Anything Bent or Disfigured to Conceal Its Identity—Unlawful—Penalty.—It shall be unlawful for junk dealers, pawnbrokers, dealers in second-hand clothing, to receive or advance money on or pay for machinery, or parts, or appliances thereof, or any appliances, tools, or materials used in railroad, gas and

waterworks shops, or parts of gas or water meters, or appliances and materials used in and about water-closets, or parts thereof, where same appears to be mutilated, or cut up, or bent, or otherwise shows evidence of an attempt to conceal its identity, and any such dealers violating the provisions of this section shall, on conviction in the Recorder's Court, be fined not less than twenty-five dollars, or imprisoned not more than thirty days or one or both in the discretion of the Recorder. This shall not apply to purchases from residents of the City of Atlanta, known to said dealers as men of good character, and, when such purchases are made, such dealers shall keep a record, which at all times shall be open to the police officers.

CHAPTER LIV.

LAW DEPARTMENT—CITY ATTORNEY.

Sec. 1442. City Attorney—How Elected—Duties—Compensation.—There shall be an attorney elected by the people biennially, at the same time the Mayor is elected for the City of Atlanta, who shall have the title of City Attorney, whose duty shall be to prepare all such cases as may come before the Mayor or General Council, and prosecute the same, and attend to such legal business as may be required of him, in favor of said City, and give counsel in all cases required of him by the officers of said City; and who shall receive a reasonable salary, to be fixed by the Mayor and General Council the year next preceding his election, which shall not be changed during his term.

Sec. 1443. He Shall Furnish Abstract of Title to All Realty the City Purchases, with His Opinion.—It shall be the duty of the City Attorney to prepare and file with the Comptroller a full and complete abstract of title to all realty, that may be hereafter purchased by the City at private sale, together with his written opinion as to the title to such realty. Said abstract and opinion shall be filed and preserved by the Comptroller for such uses as the Mayor and General Council may order.

Sec. 1444. City Investigator—Under City Attorney or Legal Department—Powers.—The officer known as City Investigator, who is employed in the legal department of the City, on the recommendation of the City Attorney, to investigate claims and suits for damages, shall be invested with all the rights and powers of a regular police officer of the City of Atlanta. He shall be sworn in as such by the Board of Police Commissioners, and be furnished with a badge as a regular officer, and he is hereby empowered with duty and authority to make arrests in such cases as other policemen are authorized to act.

Sec. 1445. City Attorney Sues Negligent Officials, Whose Acts Cause Suits for Damages—When—How—Conditions.—In all actions hereafter brought against the City, in which it is sought to recover damages on the ground of negligence resulting in injury to plaintiff, or other person, in whose right, or for injury to whom he sues, it shall be the duty of the City Attorney, upon inquiring into the facts, to serve a notice upon any and all officers or employees of the City, whoever he or they may be, by whose negligence it was, if such negligence there be, that such injury occurred, notice of the pendency of such action, together with a copy of the declaration in said case, at least five days before the trial thereof, and, if said suit results in a final recovery against the City, it shall thereupon be the duty of the City Attorney, by virtue of this ordinance, and without further authority or direction therefor, to institute suit against the person or persons thus notified, to recover said amount from him or them upon their liability over to the City, in such case by law existing; provided, that nothing herein contained shall be construed to hold any member of the General Council responsible for his vote in any matter pending before the General Council, otherwise than as he is liable under the charter.

(Note.—The Assistant City Attorney is appointed by the City Attorney, subject to confirmation by the Mayor and General Council.)

CHAPTER LV.

LIBRARIES, PUBLIC—CARNEGIE LIBRARY.

Sec. 1446. Management Vested in a Board of Trustees—Their Powers.—The management of Carnegie Library is hereby vested in the Board of Trustees heretofore elected, who shall continue to serve until the expiration of their respective terms. Said Trustees shall have power to prescribe rules for the government of said library, and to change the same from time to time, if they so desire.

Sec. 1447. No Successors to Four Members, Whose Terms First Expire.—No successors shall be elected to succeed the four members of the present Board of Trustees, whose terms of office first expire.

Sec. 1448. Mayor Ex-Officio Member of Board.—(Charter provision).—The Mayor shall be ex-officio a member of said Board.

Sec. 1449. Board Shall Have Members from Each Ward, Besides Mayor and Chairman of Committee on Library—How Elected.—The Trustees of Carnegie Library shall consist of ten members selected as follows, the Mayor and Chairman of Committee on Libraries shall be Trustees for said Library ex officio during their respective terms of office. The other eight Trustees shall be selected from the residents of each ward, no ward to have more than one representative among the Trustees at the same time and this ordinance shall be enforced as follows, as the terms of the present Trustees expire, no successor shall be elected thereto if any of the remaining Trustees are from the wards of retiring Trustees but successor shall be selected from residents of wards not at present represented among the Library Trustees aforesaid.

Sec. 1450. Y. M. L. A. Ordinance Repealed—Four Year Term—Duties—Powers.—The existing ordinance, whereby Council selects a portion of said Trustees and the Young Men's Library Association recommends a portion thereof, so far as same conflicts with the provisions of preceding section of this ordinance, is hereby repealed and the terms of the Trustees elected under this ordinance is hereby fixed at a period of four years from the date of their selection. The Trustees elected in May, 1908, shall serve first Monday in May, 1912. The Trustees elected hereunder shall have all the powers of the Trustees under prior ordinance and their orders shall be carried out, subject to such ordinances as may be passed by the General Council.

Sec. 1451. Committee on Library from Council—Duties—Chairman Member of Board of Trustees.—The Mayor shall appoint a Committee of three from the General Council to be known as the "Committee on Library." The Chairman of said Committee on Library shall be ex-officio a member of said Board. It shall be the duty of said Committee to co-operate with the Trustees of said Library in the same manner as similar Committees co-operate with their respective Departments, and all matters originating in the General Council referring to said Library or similar matters shall be referred to this Committee for consideration and report.

Sec. 1452. Part of Marietta Street School Lot Set Aside for Library.—A portion of the school lot known as the Marietta Street School lot, namely land fronting one hundred (100) feet on Luckie Street and running back west therefrom even width with front between the alleys on North and South Sides, for a distance of one hundred (100) feet, is hereby set aside for the library purposes in order that the trustees of Carnegie Library may build a library building thereon and devote the building and lot for library purposes, and for other purposes, such as are consistent with public libraries, such as meetings, play-grounds, etc. Provided that should the Mayor and General Council on January, 1908, appropriate money sufficient to pay for another site in the Fifth ward and set same apart to said Library trustees, for the purposes above mentioned, then and in that event this ordinance shall be void and of no effect.

CHAPTER LVI.

LICENSE INSPECTOR—WARDEN—ALMS.

Sec. 1453. License Inspector—Term—Salary—How Appointed—Bond.—The office of License Inspector of said City is hereby created with a term of two years. The salary of said inspector shall be one thousand (\$1,000.00) dollars per year. Said Inspector shall be appointed by the Mayor and confirmed by Council, and hold office until the first regular meeting in July next, and until his successor is appointed and qualified, unless sooner removed by the Mayor and General Council for cause. All subsequent appointments, except to fill vacancies, shall be for a term of two years, with the same right of removal above stated. Said Inspector shall give bond in the sum of one thousand (\$1,000.00) dollars, subject to the approval of the Mayor, conditioned for the faithful performance of his duties. (Note.—Salary fixed before each biennial election).

Sec. 1454. Duties of License Inspector.—It shall be the duty of said Inspector to examine into all licenses granted by the City, to deliver all notices of expiration of the same, to perform all other duties required of him by the Tax Committee. Said Inspector shall also deliver the notices of water bills for the Waterworks Department, if so instructed by the Mayor and General Council.

Sec. 1455. May Arrest and Make Cases—Oath—Police Badge.—Said Inspector shall be vested with power to prefer charges, and make arrest of parties violating the law of the City, and shall take the oath required of special policemen, and have the right to wear the badge of same.

Sec. 1456. Offices Distinct.—The office of Warden and License Inspector shall hereafter be separate and distinct, and the duties of these respective officers discharged by different officials.

Sec. 1457. City Warden—Duties—Relief, How Dispensed—Salary of Warden—How and When Appointed, Etc.—General relief shall be dispensed by the Warden under the direction and control of the Committee on Hospitals and Charities, and this general relief shall extend to and include the transportation and burials of paupers, as well as the distribution of food, clothing, etc. Said Warden shall perform such other duties connected with the supervision of hospitals and charities as the Committee thereon shall prescribe, and shall receive for his services the sum of six hundred (\$600.00) dollars per year, payable monthly from appropriation to Department of Relief. He shall be appointed by the Mayor, subject to the confirmation by the General Council, and this appointment shall be transmitted to the meeting of the General Council held on the first Monday of July of the year, in which the appointment of license inspector is confirmed.

Sec. 1458. City Warden—Term—License Inspector—Salary.—The term of Warden shall be two years, and the person appointed on the first Monday in July, 1903, shall serve for a term of two years, or until his successor in office shall be appointed and confirmed. The License Inspector shall receive a salary of \$1,000.00 a year, except for the remainder of the present year, during which time he shall receive \$100 per month.

Sec. 1459. Beggars—Unlawful.—It shall be unlawful for any person habitually to ask, beg, or solicit alms in the City of Atlanta from any person whatever, except as hereinafter provided.

Sec. 1460. Penalty for Violation.—Any person, who shall solicit or receive alms in any form whatsoever from any person whomsoever in said City, except as provided in this ordinance, shall be fined by the Recorder's Court not less than one nor more than twenty-five dollars, or imprisoned not less than one nor more than thirty days, either or both, in the discretion of the Court.

Sec. 1461. Burials by City—Pauper Deaths to be Reported—When—To Whom.—It shall be the duty of the head of the family, in which any death shall occur, in cases where the burial is to be at the expense of the City, in whole or in part, to report

the fact of such death, and of the place, at which it happened, to the Warden of the City of Atlanta within twelve (12) hours after the occurrence of such death.

Sec. 1462. Pauper Deaths at any Public Places—How Reported—By Whom—To Whom—When.—In case of the death of any person, whose burial is likely to be chargeable to the City of Atlanta, at any hospital, infirmary, or similar place, or at any hotel or public boarding house, it shall be the duty of the Superintendent or principal officer in charge of such institution, or of the keeper of such hotel or boarding house, to report the fact of such death to the City Warden within twelve hours.

Sec. 1463. Penalty for Failure.—Any person violating the provisions of either of the two last foregoing sections shall be punished, on conviction in the Recorder's Court, by fine not exceeding one hundred (\$100) dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1464. Charitable Associations—Report to Council—When—All charitable organizations, to whom the City appropriates money in the Department of Relief, shall file with the General Council at its regular meeting on the first Monday of each month a statement verified by its General Manager, or Secretary, or President, or Principal officer, however denominated, showing the expenditures of such organization, giving the total in each line of expenditure, such as so much for groceries, so much for hired help, so much for salaries, etc. Such statements shall also show in detail the extent of charity and help extended by such association, with the dates and amount or extent of assistance.

Sec. 1465. If Institutions will Not Report, City Assistance Withdraw.—Should any organization above named fail and refuse to file such statements, then and in that event no further assistance shall be extended to said organization, and it shall be unlawful to draw or approve any further warrants or checks in their behalf.

Sec. 1466. Charitable Institutions—Must Notify Law Department, When Receiving a Patient Injured on the Streets—For

What Purpose.—The officers and agents in charge of Grady Hospital, and all other institutions of public charity, to whose maintenance the City contributes, shall notify the Department of Law at once of the reception of any person claiming to have received an injury upon the streets, avenues, or public places of the City, in order that same may be promptly investigated, and the evidence attending same ascertained for the information of Council, or for defense, if suit follows.

Sec. 1467. Ascertain Cause of Injury—By Whom—Copy of Ordinance Served on Institutions.—Inquiries shall be made by said officers and agents to ascertain the cause of injury, where the patient fails voluntarily to reveal same, or where the circumstances are such as to suggest such injury as aforesaid. A copy of these provisions shall be forwarded to the institutions above-named, and their compliance therewith requested by Clerk of Council, under seal of his office.

Sec. 1468. Objects of Charity—Sent by Heads of Departments—All organizations, bodies, and homes organized for charitable and beneficial purposes, and to which the City of Atlanta may now or hereafter make appropriations annually, or otherwise, shall receive such objects of charity, or those in need of protection, as may be sent to them by the head of any department of the City of Atlanta, in the course of whose duty such objects of charity, or unprotected ones, shall be sent to such organizations, bodies, or homes, as are appropriate to the case in hand, viz.: Homeless children to the Home of the Friendless, etc., etc. If there be no head of department to direct to which institution such person or persons may be sent, then the Mayor shall direct which one shall receive and care for same.

Sec. 1469. Sums Paid in Monthly Installments—Failure to Care for Objects of Charity—By Whom and to Whom Reported—Penalty.—The sums appropriated, as above stated, shall be paid to said institutions in monthly installments, and on failure of anyone or all to receive such person or persons as may be sent to them, as provided in this ordinance, the officer, who shall have designated such institution, shall report the same to the

Comptroller of the City, and it shall hereafter be unlawful for said Comptroller to draw any further check or warrants for such institution, or to approve any vouchers in its behalf, and the appropriation therefor set apart to such institution shall be stricken, and sums so appropriated transferred to the Department of Contingent.

Sec. 1470. Warden to Sign Rules as to Free Transportation, Made by National Conference of Charities and Corrections—Must Observe Same after Signing—Warden Signs on Behalf of City.—The Warden of the City of Atlanta is hereby authorized to sign in the name of the City of Atlanta the rules concerning free transportation and charity rates, which have been published by the Committee on Charitable Transportation appointed by the National Conference of Charities and Corrections, which said rules are as follows:

A.—The word "transportation" as used in the following paragraphs includes both free transportation and the recommendation of charity, even if the latter are to be paid by the applicant.

B.—The word "he" means he, she, or they as the context in any case will suggest, and the word "applicant" includes the family group for whom transportation is desired.

C.—"Public Charity" includes not only the official charities, supported by taxation, but any general charitable organization upon which the applicant in question has no claim through membership, blood relationship, or through the society's definite promise to aid the specific applicant.

D.—In some of the following paragraphs, "shall" is used, in others "should" or "may." The former word is mandatory and the phrases in which it is used are to be accepted as binding upon all signers of these rules. Where "should" or "may" is used the paragraph is only a suggestion which signers may observe or not, at their discretion.

RULES AND SUGGESTIONS.

Fundamental Principles.

1.—Before any charitable transportation shall be granted, the organization of officials having the matter under consideration must be satisfied, by adequate and reliable evidence—

First.—That the applicant is unable to pay the regular fare.

Second.—That the applicant's condition and prospects will be substantially improved by sending him to the place in question.

Third.—That the applicant will have such resources for maintenance at the point of destination as will prevent him from dependence on public charity; or,

Fourth.—That the applicant has a legal residence in the place to which he is to be sent or is a proper charge upon the charity of that community.

Verification.

2.—An applicant's statements must in every case be substantiated by other definite, reliable evidence. When this is lacking the applicant should be taken care of, if necessary, until the needful testimony is secured.

Destination Notified.

3.—In all cases an appropriate charitable organization or official, if such exists, at the point of destination, should be promptly advised that the applicant's transportation to that place is under consideration, or has already been determined upon.

When a signer of these rules is listed as being located at the proposed point of destination, it shall not be legitimate to send the applicant thither unless notification is sent to the signer in advance of the transportation being furnished or upon the day when it is provided.

In exceptional cases where the sender has reason for desiring that no record be kept by the charitable agency at the point of destination, the matter may be explained to the latter, who shall then preserve no record unless the case is known through sources independent of the sender.

4.—It is strongly recommended that a report be secured from an appropriate charitable organization or official in the city to which transportation is desired, before any applicant is sent thither. This is especially urged when a signer of these rules is listed as being located at the point of destination.

All signers have definitely announced themselves as willing to co-operate with other signers by making reasonable efforts to secure needful information and to determine whether transpor-

tation ought to be provided in any given case. Other charitable agencies, also, are usually glad to make any legitimate inquiries and reports which fall within the range of their customary activities.

Through Transportation Required.

5.—All charitable transportation provided shall, in every instance, be adequate; that is, the initial or original sender shall provide for the applicant through to his ultimate destination. When through tickets can not be secured at charity rates, the initial sender may enlist the services of some charitable agency at an intermediate point, all expenses to be borne by the initial sender.

"Passing-Along" Forbidden.

6.—If an applicant has been aided to reach a place intermediate to the point of his proper destination, without means having been provided for forwarding him to the latter, then no further transportation shall be granted without inquiry of the charitable organization or individual who sent the applicant thither. This correspondent shall be requested to remit the amount necessary either to forward the applicant to his destination or to return him to the starting point. If satisfactory response is not promptly made, the applicant should be returned to the place where his charitable transportation originated. In no case shall he be "passed-along" to another community which has no adequate responsibility for him.

Dependents Returnable to Senders.

7.—If an applicant, who has been provided with charitable transportation without the approval of an appropriate charitable agency at the point of destination, shall there become dependent on public charity within nine months after his arrival, then the charitable organization or individual who sent him thither should be notified and requested to provide for the applicant's necessities or to remit the money necessary to return him to the place from which his transportation was provided.

Maintenance Pending Adjustment.

8.—If an applicant has been forwarded in violation of any of these rules, the charitable agency which provided him with

transportation should be requested to bear the reasonable necessary expense of providing for him temporarily, pending investigation and the proper disposal of his case.

Records to Be Preserved.

9. The society or official through whom charitable transportation is procured shall in each case preserve a full record of all the essential facts upon which the granting of transportation has been based. A copy or summary of such record should be furnished promptly on request to any charitable organization or official interested in the case. When such request for a digest of the record comes from a signer of these rules, it shall be considered mandatory upon any other signer.

10.—In case of persons asking charitable transportation on the ground of being able to secure employment in the place to which transportation is desired, definite, reliable assurance of employment must be obtained as part of the necessary evidence. A general report that conditions of employment are better, or that the applicant would be "better off" in the place specified, shall not be considered sufficient grounds for granting of transportation.

Prompt Answers to Code Inquiries.

11.—Organizations and individuals who agree to these rules thereby pledge themselves to keep a copy of the rules and telegraphic code conveniently at hand, and to use all due diligence in making reasonable inquiries requested by other signers of the rules and in reply to communications regarding transportation cases.

Health Certificates in Epidemics.

12.—Persons forwarded by charitable agencies or officials where any contagious or infectious disease is known to be epidemic, must be provided with the proper health certificates.

Appeal in Case of Disagreement.

13.—When disagreement, as to facts or decisions, arises in regard to any transportation case, one or both the parties concerned may appeal to—

(1) The Secretary of the State Board of Charities, if both disputants are located in the same State; or, if not,

(2) Their two State Secretaries working jointly or to either one of them, or—

(3) The general secretary of the National Conference of Charities and Correction.

After the City Warden has signed said rules, it shall be his duty to observe them in all cases, to which they may apply.

Sec. 1471. Office of Assistant License Inspector Created—Appointed by Whom—Term.—The office of Assistant License Inspector is hereby created, charged with all of the duties of the regular License Inspector, but subject thereto. Said Assistant License Inspector shall be appointed by the Mayor subject to confirmation by Counsel, and shall hold office for a term of two years, or until his successor shall have been elected and qualified, subject to removal at pleasure of Mayor and General Council.

Sec. 1472. Assistant License Inspector's Salary.—The salary of said Assistant License Inspector is hereby fixed at the sum of \$75.00 per month.

Sec. 1473. Requirements of Liquor Dealers—Street and Other Railroads—Telegraph and Telephone Companies—Seeking License or Franchise.—Each applicant for license to sell spirituous or malt liquors or wines, and each applicant for street railway or other railroad or telegraph or telephone franchises within the City of Atlanta shall, before such application is made to the Mayor and General Council of the City, give notice of the purpose of such application by advertisement at least five times on different days in a daily paper published in the City of Atlanta, and having a general circulation among the citizens of said City, which notice shall contain a particular description of the location of the proposed liquor business, or of the lines of routes of the street franchises wanted, as the case may be. (Note.—State law now forbids the liquor traffic).

Sec. 1474. Retail Lumber Dealers Must Register and Qualify as Such before Obtaining License.—It shall be unlawful for any person, firm or corporation, by themselves or through others,

to sell at retail, that is to say, in quantities less than one carload, any lumber, laths, shingles, or any similar building material, without first having registered as retail lumber dealers, and paying for license therefor, and without first having become qualified to conduct a retail lumber business by the obtaining and equipment of a proper yard and place of business, wherein lumber may be stored in sufficient quantities for the proper conducting of a retail business, and kept open for public patronage.

Sec. 1475. Lumber Stock to be Inspected—Classified under Standard Lumber Rules—Kept Classified—Subject to Purchasers' Inspection.—All retail dealers in lumber, as aforesaid, shall have their stock promptly inspected on receipt thereof, and stored in their yards, and classified according to the standard lumber rules, and kept separate according to classification, subject to the inspection of purchasers.

Sec. 1476. Purchasers may Inspect Material Before Delivery.—All retail dealers in lumber shall permit purchasers to inspect material ordered by them before delivering, when said right is demanded by the purchaser at the time said order is given.

Sec. 1477. Penalty for Violation.—A violation of above provisions or any part thereof, shall subject the offender, upon conviction in the Recorder's Court in the City of Atlanta, to a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, or both, in the discretion of the Recorder.

CHAPTER LVII.

LIQUOR TRAFFIC.

Sec. 1478. Applications—Advertised.—Each applicant for license to sell spirituous or malt liquors, or wines, and each applicant for street railway or other railroad, or telephone or telegraph franchise, within the City of Atlanta, shall before such application is made to the Mayor and General Council of the City of Atlanta, give notice of the purpose to make such application, by advertisement at least five times on different days in a daily paper published in the City of Atlanta, and having a general circulation among the citizens of said city, which notice shall contain a particular description of the location of the proposed liquor business, or of the lines or routes of the street franchises wanted, as the case may be.

Sec. 1479. License—Amount.—The price of each license to retail spirituous or spirituous and malt liquors, shall be at the rate of one thousand dollars per annum, and the Clerk's fee of fifty cents, which in each case may be paid quarterly in advance, and the holder of such retail license shall be privileged to sell spirituous, or spirituous and malt liquors, not only in quantities less than one quart, but also in such larger quantities, as purchasers for consumption may desire. The price of each license to retail lager beer and malt liquors only shall be at the rate of two hundred and fifty dollars per annum, and Clerk's fee of fifty cents, payable quarterly in advance.

Sec. 1480. Application—How Made.—All persons, firms, corporations or companies desiring to engage in the sale of spirituous or malt liquors at wholesale in said city shall make written application to the Mayor and General Council for such privilege, and the said Mayor and General Council may, in their discretion, grant or refuse such privilege upon each application made; provided, that no such privilege shall be granted to carry on such

business at any place in said city outside of the limits prescribed for the retail of ardent spirits; and provided also, that no wholesale liquor license shall be granted except to persons, firms or corporations bona fide engaged or intending to engage in the wholesale trade in liquors,

Sec. 1481. Retailers—Quantity.—From and after the 31st day of March, 1898, it shall be unlawful for any person, firm or corporation dealing in spirituous or malt liquors, otherwise than under retail license granted by the Mayor and General Council of the City of Atlanta, to sell such liquors in less quantities than one quart, what are known to the trade as commercial quarts being reckoned as quarts within the meaning of this ordinance, nor shall it be lawful for such dealers when selling goods by the quart or upwards to permit the same to be used on the premises where sold, or kept by the purchaser in the store of the dealer for such consumption.

Sec. 1482. Dealers—Close.—Dealers in liquors at wholesale shall conform to the regulations for opening and closing saloons prescribed by existing ordinances, and such as may be hereafter made, and shall also conform to the laws and ordinances preventing the sale or furnishing of liquors on election days, Christmas days, Sundays, and other holidays on which retail saloons are required to be closed.

Sec. 1483. Drug Stores—Prescriptions.—It shall be unlawful to sell liquor at wholesale or retail in connection with drugs or in drug stores; provided, that the compounding of liquors with drugs as part of prescriptions, bona fide, made by reputable physicians in the treatment of disease, shall not constitute a violation of this ordinance.

Sec. 1484. Penalty.—A violation of any of the provisions of the preceding sections of this chapter shall subject the offender, upon conviction thereof, to punishment by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court, and such conviction shall work a forfeiture of the license of the offender or dealer in whose place the offense occurs.

Sec. 1485. License—Wholesale—Amount.—The current tax ordinance is hereby amended by striking out the figures 50.00, when they occur in the 8th line of the division under the letter "L," on page twenty-four of said ordinance, as published, and inserting in lieu thereof the figures 200.00, so that said 8th line when amended will read as follows: Liquors, beer or wine, at wholesale, \$200.00. The intent of this amendment being to fix the registration tax on wholesale liquor dealers at \$200.00 per annum instead of \$50.00 per annum.

Sec. 1486. Repeals Other Ordinances.—All ordinances and parts of ordinances inconsistent with the provisions of this ordinance be, and they are hereby repealed, but the ordinance shall not be construed to repeal any of the restrictions heretofore thrown around the liquor traffic by existing ordinances.

Sec. 1487. Selling Without Compliance—Penal.—Any person, firm, corporation, or company who shall sell or offer for sale at wholesale, any spirituous or malt liquors, without having first complied with all the provisions of this ordinance, shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the court.

Sec. 1488. License Revocable.—Every license under this ordinance shall issue for one year, or for the balance of the fiscal year, so as to expire on the 30th day of the following June, but may be paid for quarterly in advance, but may be revoked by the Mayor and General Council at any time upon refunding the applicant the pro-rata amount for the unused time, and no license is transferable except by consent of Mayor and General Council. Such license shall protect but one place, and that the place specified in the license.

Sec. 1489. Keeping on Hand for Unlawful Sale.—Any person, firm or corporation who shall keep for unlawful sale in any store, house, room, office, cellar, stand, booth, stall, or other place, or shall have contained for unlawful sale in any barrel, keg, can, demijohn, or other package, any spirituous, fermented, or malt liquors for such sale, shall, on conviction be punished

by fine not exceeding five hundred dollars, or imprisonment not exceeding thirty days, or labor on the public works for not exceeding thirty days, or in the discretion of said Recorder, such offenders may be punished by a fine not exceeding five hundred dollars and imprisonment not exceeding thirty days or by fine not exceeding five hundred dollars and labor on the public works for not exceeding thirty days.

Sec. 1490. Closing on Holidays.—All laws relating to the closing of retail beer and liquor saloons on holidays are applicable alike to wholesale houses, except where it is strictly shipping to parties outside of Fulton County. The same penalty that operates against retail dealers for a violation of the liquor laws apply in violation of this section.

Sec. 1491. Limits Defined.—The Mayor and General Council may, in their discretion, grant or refuse license to sell, at retail, spirituous or malt liquors, on the business portion of the following streets, between the points named on each application made, to-wit: On Whitehall street, from the railroad at Peachtree street to Peters street; on Peachtree street, from the railroad at Whitehall street to Luckie street, on Marietta street from Peachtree street to Foundry street; on Decatur street, from Marietta street to Butler street; on Broad street, from Mitchell street to Luckie street; on Mitchell street, from Forsyth street to Whitehall street; on Hunter street, from Forsyth street to Pryor street; on Alabama street, from Forsyth street to Loyd street; on Pryor street, from Exchange Place to Hunter street; on Wall street, from Peachtree street to Loyd street; on Loyd street, from Decatur street to Alabama street; on Forsyth street, from Alabama street to Walton street; on Peters street, from the Central Railroad to Fair street.

Sec. 1492. Beer License—How Issued—Penalty.—Within the limits above provided, on the streets above named, no separate license for the sale of lager beer or malt liquors shall be issued. Outside of the above limits on business portions of business streets within practicable and efficient police supervisions, and in localities where there is no reasonable objection thereto, li-

censes may be issued for the retail of lager beer and malt liquors only. Should any dealer licensed to sell lager beer and malt liquors only, by himself or agent, have, or keep on hand, or sell, furnish, or offer to sell, or furnish to any persons any spirituous liquors, his license shall thereupon and thereby be forfeited, and such person so offending shall, on conviction thereof, be fined not exceeding five hundred dollars and imprisoned thirty days. The sentence, on conviction, shall include imprisonment and shall not be less than thirty days, and in any such case neither the Mayor, nor the Mayor and General Council, shall have any power or authority to reduce or relieve the sentence by revision, pardon or otherwise; and such person shall not thereafter be entrusted with any license to sell spirits or malt liquors. Any agent of any such licensed dealer in malt liquors who shall violate the foregoing provisions shall be subject to the penalties and disqualifications hereinabove provided. All licenses for the retail of lager beer and malt liquors shall issue subject to the right and purpose of the city by its police officers and policemen, and special agents and inspectors at any and all times to inspect the conduct of the business of any such licensed dealer and agents, as also the character of the stock kept by any such dealer.

Sec. 1493. License—To Whom Issued.—No license to retail, as aforesaid, shall issue to any person other than of good character, sobriety and discretion, and regard to this shall be had on, and as to, each application made.

Sec. 1494. Screens—Obstructions, etc.—No place for which a license to retail as aforesaid shall issue, shall have any screen, blinds or painted glass or other obstruction of the view through the doors and windows thereof. License shall not issue for any place which does not front on, or have the main entrance thereto, directly from a public street, but this requirement shall not apply to hotels where the bar is so situated as to be open to the view generally of persons stopping at said hotels.

Sec. 1495. Street Front—Level.—No license shall issue for any place not substantially on a level with a public street, except that the Mayor and General Council may in their discre-

tion, grant or refuse license to retail in basements sufficiently open to view.

Sec. 1496. Gaming—Ten-Pins—Music, Etc.—Unlawful.—No gaming table, gaming device or apparatus, shall be kept or used at any place for which license is granted, nor shall any game by cards, ten-pins, or music, or otherwise, be played at any such place for amusement, exercise, or for anything of value, nor shall any pools be sold, providing the keeping of billiard and pool tables and playing thereon for exercise or amusement only, shall not be prohibited in hotels when the same are in a different room from the bar.

Sec. 1497. Loitering—Disorderly.—No person to whom a license is issued shall permit drunken or disorderly persons to assemble or loiter therein.

Sec. 1498. Time—Close.—No place for which a license is granted shall be kept open later than ten o'clock p. m., or opened earlier than five o'clock a. m.

Sec. 1499. Close Election Day, Etc.—No person licensed to sell spirituous or malt liquors in said city, shall keep open his place or sell or furnish liquors on the Sabbath, Fourth of July, or Christmas day, or on occasions when, in the judgment of the Mayor and Police Commissioners, the conserving of the peace and order of the city requires closing, and they first notify such dealer to close.

Sec. 1500. Oath—Applicants—Penalty.—All persons to whom licenses shall issue shall take the oaths required by law, and any person hereafter applying for the granting of retail liquor or beer license, or the removal or transfer of such license, shall be required, in connection with such application, to take, subscribe, and file an affidavit stating that the applicant has not been convicted of violating the State laws regulating the liquor traffic, or the city ordinances which provide for granting of retail liquor and beer licenses and prescribes for the conduct of licensed saloons, and further stating that no indictment or accusation is pending against him in the State court, or any Recorder's Court,

charging such violation. Any person falsely swearing to the affidavit required by this section, shall be prosecuted by the Chief of Police in the Superior Court of Fulton county.

Sec. 1501. License—Bond Required.—No person shall, in said city, retail or sell in quantities less than one quart, any spirituous or malt liquors without having obtained license therefor, paid the required price, given the bond and taken the oath provided by law and ordinance.

Sec. 1502. Signs.—Licensed retailers (hotels excepted) shall, within five days after obtaining license, affix a sign board near to, or over his door, on which shall be printed in plain words, "Licensed retailer of spirituous liquors."

Sec. 1503. Officer—Admitted.—It shall be the duty of each and every licensed retailer of spirituous liquors to admit the Mayor or any member of the General Council, Police Commissioner, or any police officer or policeman, into his or her premises at any time when such permission may be demanded.

Sec. 1504. Penalty.—Any person violating any of the foregoing provisions of this ordinance shall, for each offense on conviction thereof, be fined not exceeding five hundred dollars, or imprisonment thirty days, either or both, in the discretion of the court.

Sec. 1505. Forfeiture of License.—The conviction in a State court of any person licensed to retail spirituous or malt liquors for the violation of the State statutes in relation to the sales of arden spirits to a minor or person already intoxicated; or the conviction of a retailer before the Recorder's Court for the violation of any of the provisions of this ordinance, shall work an immediate revocation of the license of such person, and for any further exercise of the privilege granted by such license, he shall be punished as one retailing without license.

Sec. 1506. Application—How Made—Bond.—Each person applying for license to retail as aforesaid shall, at the time of application, deposit with the Clerk a written description of the

place where he desires to carry on the business, and a certificate of two, one of whom must be an adjoining neighbor, or more of his sober, respectable, near neighbors, not interested in the application, recommending the applicant as fit to be trusted with such license; and shall also present the written consent of the owner or agent of the premises in which he desires to carry on the business. The applicant shall also tender a bond, with good security, in the sum of one thousand dollars for the keeping of a decent and orderly house, and for compliance with all laws of the State of Georgia, and said city relating to the liquor traffic and the regulation thereof. In case of any and each breach of the condition of said bond the amount thereof shall be liquidated damages and recoverable in action in favor of said city for the same. In case the Mayor and General Council shall direct suit, and by resolution or vote declare a breach of any bond to have occurred, said body may also declare the license of the party forfeited and revoked. Each bond tendered shall have at least two names as securities thereon. The securities shall also justify as to their solvency to the amount of bond over and above debts and liabilities, and homestead and exemption laws. When the application is made and bond tendered, as above provided, the same shall be referred to the committee on police, who shall personally examine the location and surroundings of the place for which license is applied, notify, or have notified, adjacent tenants or owners, or agents of owners, and also the owner, tenant, or agent of the owner of the place, or building, for which license is applied, as may be practicable, of the pending of such application and report thereon, at the next regular meeting of Mayor and General Council, or as early thereafter as practicable.

Sec. 1507. License—Expiration—Revoked.—The price of license to retail, the time it may last, and the amount of bond, may be fixed or changed at any time, provided no vested rights are impaired by such change; otherwise all such license shall expire on June 30th, following the date of same, but may be revoked at any time by the Mayor and General Council for the violation of any of the provisions of this ordinance, any other ordinances of the city, or laws of the State, relating to the retail liquor traffic and regulation of the same.

Sec. 1508. License — Regulations — Transfer.—No license is transferable, except by consent of the Mayor and General Council, as regard shall be had to the person to be entrusted with such license. No license shall protect more than one place, and that the place described therein, and no liquors shall be retailable in the streets of said city.

Sec. 1509. Not Issue—When.—No license to retail shall issue to any person who shall hereafter sell liquors by the gallon in said city under wholesale license, where the purpose of said person shall be to supply other than licensed dealers with liquors, and where the amount and extent of the stock kept by such persons are less than requisite for the carrying on, in good faith, the wholesale trade. Nor shall retail license issue to any person who shall hereafter, in said city, sell liquors by the gallon with the knowledge that persons acting together in purchasing the same will immediately divide, or have the dealer selling the same divide it for immediate consumption or carrying away.

Sec. 1510. Unlawful Sale—Drinking on Premises.—Any person who shall keep on hand for unlawful sale by the quart, any liquors kept ostensibly for sale at wholesale by the gallon, or shall permit the division of the same by purchasers, or others in his presence, or shall retail the same, shall be debarred of a wholesale or retail license hereafter, and in addition, shall, on conviction of either offense named in this and the preceding section, be fined not exceeding five hundred dollars, or imprisoned thirty days, either or both, in the discretion of the court.

Sec. 1511. Empty Beer Kegs—Regulations.—It shall be unlawful for empty beer kegs to remain on the sidewalks or streets of Atlanta longer than twenty-four hours after being placed there; and all breweries or their agents, doing business in said city, are required to make daily collections of empty kegs, and any brewery or agent violating the provisions of this ordinance shall, upon conviction before the Recorder, be fined not less than five dollars and costs for each offense.

Sec. 1512. License—Piedmont Park.—On compliance with all laws and ordinances of the city with reference to obtaining li-

cense to retail liquor, and the deposit of ten dollars per day, and Clerk's fee for the time applied for, accompanied by the written consent of the authorities of the Gentlemen's Driving Club, or of the Piedmont Exposition Company, the Clerk of Council is authorized to issue license to retail malt and spirituous liquors on the grounds of the Piedmont Exposition Company, or Gentlemen's Driving Club; provided, that the hours of closing shall be ten o'clock p. m., and of opening seven o'clock a. m., and the person or persons receiving such license shall be subject to all laws and ordinances regulating the retail liquor traffic. Such license shall be subject to forfeiture at any time on the request of either the Piedmont Exposition Company, or Gentlemen's Driving Club or authorities thereof, and licenses are also taken subject to this provision for forfeiture.

Sec. 1513. Applications—Bond—Forfeiture, Etc.—All the provisions of this ordinance aforesaid, of the retail liquor ordinance, relating to application, bond, license, regulation, selling without license, penalties, forfeiture of license, etc., etc., in case of retail or spirituous or malt and spirituous liquors shall apply to the retail of lager beer and malt liquors, except as otherwise herein provided.

Sec. 1514. Forfeiture of License—The Mayor and General Council shall forfeit the license of any retailer of either spirituous or lager beer, or malt liquors, whose place becomes a nuisance or of ill repute, by disorder thereat, or otherwise.

Sec. 1515. Minors Not Allowed.—It shall be unlawful for any minor to go into any place where spirituous or malt liquors are kept for retail, unless by written consent of parent or guardian, and any minor violating the provisions of this ordinance shall, on conviction before the Recorder, pay a fine of not less than five dollars, or work on the public works not less than five days.

Sec. 1516. Punishment of Minors.—Any person under twenty-one years of age who shall, under false representation as to age, buy or allow to be bought for him, other than by parent or guardian, any liquors, malt or spirituous, in any retail saloon of this

city, shall, upon conviction before the Recorder, pay a fine of not less than twenty-five dollars, or serve not less than twenty-five days on the public works.

Sec. 1517. Signs as to Minors.—All places licensed to retail spirituous or malt liquors shall have posted in conspicuous places about their place of business, "No minors allowed in here," and the same shall be considered sufficient notice.

Sec. 1518. Sale of Alcohol.—When any person applies to any druggist or other lawful dealer for the purchase of alcohol, and shall state that it is bought for mechanical, medicinal or chemical purposes, the statement or assurance of said purchaser as to the use intended shall be a complete protection for such druggist or other lawful dealers in alcohol, from any prosecution under any city ordinance.

Sec. 1519. Unlawful to Sell in Bulk—Drink on Premises.—It shall be unlawful for any retail dealer in spirituous and malt liquors, or in spirituous or malt liquors, in the City of Atlanta, to sell any of such liquors by the quart, pint, half-pint, gill or other measure, to be used or drank in the premises where sold. This shall not apply to bottled beer.

Sec. 1520. Fine—Imprisonment.—Any person convicted before the Recorder's Court of said city for a violation of the foregoing section, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both of these punishments, in the discretion of the court, for each offense.

Sec. 1521. Transfer—Penalty.—Any person who shall begin business as transferee of the license of another without first advertising, filing his petition and obtaining the consent of the Mayor and General Council, as now required by law regulating the issuance of retail liquor license, shall be held and considered as carrying on said business without a license. Any person convicted of a violation of this section shall be fined not more than five hundred dollars, or imprisoned not more than thirty days, in the discretion of the Recorder's Court.

Sec. 1522. Lunch—How Served—Free Penal.—It shall be unlawful for any retail dealer in liquors in this city to keep at his place of business, or furnish to his patrons or visitors at such place, any food of any sort, except crackers, cheese, pretzels, pickles and sausage, which shall not be served by waiters or on tables, but only on the counters; provided, however, that when such dealer has a license to keep a hotel, eating house, or lunch room, or stand, totally disconnected with the barroom, this ordinance shall be applicable only to the barroom.

Sec. 1523. Connection with Other Business.—Liquor or beer shall not be sold, at wholesale or retail, in connection with any other business, except that dealers in liquors and beers at wholesale or retail may carry in stock and in their bar or wholesale room cigars, tobacco, cigarettes and similar goods, usually constituting part of the stock of a liquor store or saloon. This section is operative on and after October 1, 1898.

Sec. 1524. Violation—Penalty.—A violation of any of the provisions of foregoing sections shall subject the offender, on conviction thereof, to punishment by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court, and such conviction shall work a forfeiture of the license of the offender, or dealer, in whose place the offense occurred.

CHAPTER LVIII.

LICENSES—REGISTRATION OF BUSINESS.

Sec. 1525. Persons Doing Business Must Annually Register—Procure License.—Every person, firm, corporation or company engaged in prosecuting or carrying on any trade, business or profession, within the incorporate limits of said city, is hereby required to register their names, business, calling, trade, or profession, annually at such times as the Mayor and General Council may, by resolution, from time to time direct; and persons coming into the City, and so engaging in business, after that date in each year, shall so register, and pay for and procure a business license.

Sec. 1526. Registration of Business—Registration Tax to Be Paid.—It shall be the duty of every person, firm, or corporation, engaged in any kind of business required by the tax ordinance, to be registered, to register the particular business, in which such person, firm or corporation is engaged, and to pay the registration tax thereon.

Sec. 1527. Evidence of Business—What Constitutes Same—Liability to License.—The putting up, or keeping up, or allowing to remain in position, a business sign on or in any house, office, wall, or other place, or the publishing or continuing any advertisements in any newspaper, circular or card offering to do business, or soliciting trade or patronage in any business required to be registered, or the renting, or the opening of any store, house, office, or place of business for the ostensible purpose of carrying on any business required to be registered, shall be prima facie evidence of liability to register such business, and pay the registration tax thereon required by the Tax Ordinance.

Sec. 1528. Failure to Register and Pay License—Penalty.—The failure of any person, firm or corporation required by the Tax Ordinance to register and pay the registration tax upon

their said business shall be occasion to have said tax collected by the issue of execution by the Clerk of Council, which shall be levied and collected by the Marshal or his deputy, and offender shall also be subject to be arrested and tried before the Recorder's Court, and on conviction of carrying on any business required to be registered without registering and paying the required registration tax thereon, shall be fined not exceeding one hundred dollars, or imprisonment not exceeding thirty (30) days, in the discretion of the Court.

Sec. 1529. Pawnbrokers—Shall Keep Books—Entries Thereon—When Made.—All pawnbrokers and second-hand dealers shall keep books in connection with their business, wherein shall be entered an accurate description of all property pledged or sold to them giving where the same occurs as in the case of watches, the name of the maker and the number on the piece, and further accurately and fully describing such property, with the kind and material of which it is made; and in said books there shall also be entered the name of the person, by whom same is deposited or sold, and the time when the same was done. These entries shall be made as soon after any transaction is had as possible, in no event allowing more than one hour to elapse after such transaction before the above provided entry is made concerning the same. These books and articles themselves so pledged or sold shall at all times be subject to inspection and examination by the police officers of the City of Atlanta.

Sec. 1530. Pawnbrokers Not Trade with Minors.—It shall be unlawful for any pawnbroker, their agents or employees, to receive in pawn goods of any character or description from minors.

Sec. 1531. Penalty.—A pawnbroker, their agent or employees receiving goods in pawn from minors shall on conviction in Recorder's Court be fined not exceeding \$50.00 or imprisoned not exceeding twenty days upon public works, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1532. Pawnbroker not Liable Where Age and Size Deceives.—Any pawnbroker taking from an applicant a statement in writing that such applicant is of age will not be held subject

to the provisions of this ordinance provided the appearance of such applicant as to age and size is such as to make it uncertain that such applicant is or is not twenty-one years of age.

Sec. 1533. Penalty for Failure to Keep Books or Making False Entries.—Any person doing a pawnbroking or second-hand goods business in the City of Atlanta, who shall fail or refuse to keep books in connection with their business, as provided for in the preceding section, or who shall make false entries concerning the transactions named, or who shall fail or refuse to permit an inspection and examination of said books and of the property pledged with or sold to them, by any police officer of said City, shall, upon conviction before the Recorder's Court be fined not less than twenty-five dollars, nor more than two hundred dollars, or imprisonment for not more than thirty days, one or both, as the Recorder's Court in its discretion may determine.

Sec. 1534. Fees of City Clerk.—It shall be unlawful for the City Clerk or Tax Collector to charge or receive, on account of the City, any fee for issuing any license to any citizen or taxpayer, who shall pay such license within the time allowed by the ordinances for such payment, before the issuing of the execution therefor.

Sec. 1535. Shall Collect Fees—When—How.—It shall be the duty of the City Clerk and Tax Collector to charge and collect the fees now and hereafter provided by ordinance for issuing licenses to merchants and taxpayers, who do not pay such licenses within the time limited by the ordinance, and to pay such fees or licenses into the City Treasury for the use of the City.

Sec. 1536. Fees and Costs Go to the City.—All fees and costs collected by the Marshal, on account of settling levies, advertisements, sales, commissions, making deeds, and other services in connection with the collection of executions for licenses, taxes, or assessments, shall be paid into the City treasury for the use of the City.

Sec. 1537. Veterans—Old Soldiers—Above Provisions do Not Apply to—To Whom.—The various provisions of the Tax Or-

dinance of the City of Atlanta, as to the payment of registration taxes, shall have no application to the cases of old soldiers having free licenses from the State to peddle, whether such old soldiers go from place to place in the City peddling the kind of wares or goods covered by their licenses, or such old soldiers occupy stands for the disposition and sale of their wares: provided, nevertheless, such old soldiers shall not be permitted to obstruct the sidewalks or streets with any such stand.

Sec. 1538. Consignments Prohibited, Except to Commission Merchants Licensed as Such.—No person or persons, firm, or corporation, doing business in this City, shall sell or offer for sale, any goods, wares, merchandise, fruits or produce consigned to them, upon commission or otherwise, or whether they derive the usual benefits of consignees therefrom, unless said goods, wares, fruits, or produce come within the scope of the lines of goods that they are licensed by law to deal in, or unless they have a general commission merchants' registration license, when, in either instance, they must pay tax on commission sales, as required by tax ordinance.

Sec. 1539. Fi Fas for Business Tax Issue—When.—No license *fi fa* shall issue, nor cost thereon accrue, until five days after the mailing of notice, under cover, to the person in default, stating the amount due for such license, and, if not paid within five (5) days from the date of such notice, a *fi fa* therefor, and for the costs thereon, will issue.

Sec. 1540. Tax on Produce Brokers, Etc.—How Fixed.—The registration tax on the business of stock and produce brokers or agencies shall be fixed in annual tax ordinance, the business to be subject to regulation by the Mayor and General Council by such ordinances as may be passed from time to time for that purpose.

Sec. 1541. No Modification of Bucket Shop Ordinances or Laws.—The taxing and licensing of the business of brokers, or agencies for brokers, shall not be construed to repeal or modify the existing ordinances prohibiting "bucket shops."

Sec. 1542. Free Licenses Granted Only—When.—No free license shall hereafter be granted under any circumstances, to any person for any purpose, unless such person shall have been a citizen of the City continually for the two years next preceding the asking of the same.

Sec. 1543. License for Street Vendors—Conditions—Amount of License.—No license shall be granted to any person or firm to erect a stand or sell from street or pavement, any patent medicine, novelty, or article of merchandise generally sold by itinerant vendors, except with the written consent of the person or persons occupying the store, office, or residence before which it is proposed selling said merchandise, and by order of the Mayor. The license tax for such privileges shall not be less than fifteen dollars per week for each stand or salesman, unless granted on petition to General Council, and no license shall be granted for less than one week.

Sec. 1544. Street Stands for Sale of Fruits, Etc. Abolished.—No license shall issue to any itinerant peddler or other person for the purpose of selling articles of merchandise from any stand or location, in or upon the streets or roadway proper between the curbing in said City.

Sec. 1545. Licenses for Soft Drinks—Coca-Cola—Ginger Ale.—Manufacturers of proprietary soft drink syrups or proprietary non-alcoholic beverages, such as Coca-cola, ginger ale and similar products, to be sold to bottling works or retailers, shall pay license as follows:

(a). Where gross annual sales are not more than \$50,000.00, \$50.00.

(b). Where gross annual sales are more than \$50,000, \$50.00 plus \$1 additional for each \$1,000.00 over \$50,00.00 gross annual sales; provided no license shall exceed \$200.00. (Manufacturers, as above, holding license as such, may operate bottling works for their own proprietary beverages without additional license).

Bottling works for soft drink beverages, such as Coca-cola, ginger ale, soda water, and similar products, shall pay license as follows:

(a). Where gross annual sales are not more than \$50,000, \$50.

(b). Where gross annual sales are more than \$50,000, \$50 plus \$1 additional for each \$1,000 over \$50,000 gross annual sales; provided no license shall exceed \$200. (Bottling works, as above, holding license as such, and manufacturing syrups for own use exclusively shall not be required to take out license for such manufacturing). Licenses issued quarterly under this section shall be based on business done the preceding quarter. Licenses issued annually under this section shall be based on business done the preceding year.

Sec. 1546. Agents' Percentage Tax—Tax on Insurance Agents.

—All persons, firms, or corporations hereinafter named, carrying on a registered business, or who are required to register their business, by this Ordinance, in said City, shall pay the following percentage upon the gross receipts of their business, payable quarterly:

Agents (not specially mentioned) 1 per cent.

Insurance agents:—

(a). All agents of fire, life, accident, surety, and other insurance companies, for whom such agents do business, one (1) per cent. per annum of the gross premiums collected upon policies of insurance issued upon persons, property, indemnity, or business, which are located within or domiciled within the corporate limits of Atlanta.

(b). All agents for companies, who collect their premiums weekly, issuing insurance upon the "health" of persons, including all companies, who carry on this kind of insurance, for whom they do business, one-fourth ($\frac{1}{4}$) of one (1) per cent. per annum of the gross premiums collected or charged upon policies of insurance issued upon persons domiciled within the corporate limits of Atlanta.

(c). The percentage tax herein provided for by this ordinance shall be paid on all renewal or annual premiums as well as on premiums for new business, and notes, drafts, or other acceptances received in lieu of cash in settlement for new or renewal premiums shall be counted, assessed, and paid on as cash.

Sec. 1547. Percentage Tax—When Payable—How Collected.

—The percentage tax herein provided for shall be paid quarterly;

and not later than the 15th day after the last day of each quarter, or "license period," such agent, or his authorized representative, or the authorized officer or representative of companies taxed by the provisions of this ordinance, shall file in the office of Clerk of Council a sworn statement showing in detail the amount of business transacted during the preceding quarter. At the time of filing said statement, the percentage tax shall be paid into the Treasury of the City through the office of Clerk of Council. The Clerk of Council shall issue an execution against every insurance agent, who fails to pay the percentage tax, as required by this ordinance. Each execution, so issued, shall be for such an amount as in the judgment of said Clerk of Council will cover the percentage tax due the City of Atlanta by such insurance agent. Executions so issued shall be levied and collected by the City Marshal as are other tax executions.

Sec. 1548. To Whom the Percentage Tax Applies.—The provisions of this section shall apply to all fire, life, accident, surety, industrial, or other insurance companies, except such as are exempt by the laws of the State of Georgia from the payment of such license fees or taxes, whether such companies do or do not maintain in the City of Atlanta a local agent or agency—as such terms are used and understood in insurance circles, provided such companies receive or collect premiums on policies issued on persons, property, indemnity, or business, which are located within or domiciled within the corporate limits of Atlanta, whether such premiums are received or collected by the companies direct through the United States Mail, express companies, banks, individuals, firms or other collecting agencies.

This section does not apply to the office of or business done by general agents, managers or home companies located within the City of Atlanta except as to premiums collected as provided in paragraph (a) of the above section.

All insurance companies shall pay $1\frac{1}{4}$ per cent. per annum on all capital employed in doing a brokerage business, such as discounting notes, bills, drafts, or exchange, or lending money.

Sec. 1549. All Licenses Subject to Revocation.—All licenses, issued for any purpose, are hereby made subject to repeal by resolution of the Mayor and General Council, during the term for which same have been issued, and, in such event, the Mayor and General Council shall provide for the return to the licensee such proportion of the sum paid by licensees as shall cover the remainder of the term thereof.

CHAPTER LIX.

MARRIAGES—BIRTHS—DEATHS.

Sec. 1550. Marriages Must Be Reported—By Whom—To Whom.—It shall be the duty of every clergyman, magistrate or other person, who shall perform any marriage ceremony within the City of Atlanta, to report each marriage ceremony solemnized by him to the Board of Health office within forty-eight hours thereafter, giving the full name, age, color, occupation, birthplace (State and County), and legal residence of each person married, and the date of such marriage.

Sec. 1551. Births—How Reported.—Any physician, accoucher, midwife, or other person in charge, who shall attend, assist, or advise at the birth of any child within the City of Atlanta, shall report to the Board of Health office within six days thereafter, stating distinctly the date of birth, sex and color of child or children born, its or their physical condition, whether still-born or not, the full name, nativity and residence of the parents, and the maiden name of the mother of such child or children.

Sec. 1552. Registry of Physicians Required.—It shall be the duty of every physician, accoucher, and midwife practicing medicine or doing business within the City of Atlanta to register his or her name in a book to be provided for such purpose at the office of the Board of Health of said City, giving full name, residence, and place of business; and in case of removal from one place to another in said City, to make change in said register accordingly.

Sec. 1553. Penalty for Violation of Any of Above Provisions.—Any person, who shall violate, or aid and abet in violating any of the provisions of the foregoing ordinances, shall, upon conviction in the Recorder's Court, be punished by a fine of not less than ten nor more than one hundred dollars, or imprisoned not

exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1554. Blanks to Be Furnished by Board of Health.—It shall be the duty of the Board of Health to keep on hand at all times a supply of blanks for gratuitous distribution to all persons, whose duty it shall be to make returns under the foregoing ordinances.

Sec. 1555. Registry of Deaths to be Kept—By Whom—Also Births—Also Marriages.—The Board of Health shall cause to be kept at some convenient place a book for the registration of all marriages, births, and deaths, as hereinafter provided, occurring in the City of Atlanta.

Sec. 1556. Certificate of Death Given—By Whom—When Cause of Death Unknown, Certificate so States.—In all cases of death, occurring in the City of Atlanta, the attending physician shall give a certificate, according to a blank form prescribed and furnished by the Board of Health, stating name, age, sex, color, nativity, occupation, condition (married, single, or widowed), residence and date, and cause of death of such deceased person, to the family, or person in charge of the dead body, and, in case of sudden death, or any death where there is no attending physician, the City Physician in the ward where the death occurs, when requested, shall, after satisfactory investigation, or any other physician, who has investigated the facts, may, when applied to, give such certificate; and the Coroner, or other officer acting in his place, may likewise give such certificate, in cases coming under his notice. If any person authorized to issue such certificate cannot state the cause of the death, he must certify that it is unknown.

Sec. 1557. Permit for Burial or Removal Issued on Certificate—Comptroller Is Advised whether Child or Adult.—When such certificate is presented to the Board of Health, or to the person designated by them, a permit shall be issued for the burial or removal of such deceased person, and the certificate shall be filed, and the facts therein set forth shall be duly recorded, and the fact of the issue of such a permit shall be reported to the Comptroller, stating whether child or adult.

Sec. 1558. Certificates and Permits for Non-Residents—How Issued.—If the body of any person who has died without the limits of the City of Atlanta shall be brought into this City for burial, a certificate in due form shall be presented, and a permit shall be issued, as provided in cases of persons, who die within the City, but the record shall show that such person is a non-resident, and the death shall not be charged to the mortality of the City, unless said deceased person shall be a resident of this City, death having occurred during a temporary absence only from home.

Sec. 1559. No Burial or Removal to be Made Without a Permit.—No sexton or superintendent, or person in charge of any cemetery under the jurisdiction of the City of Atlanta, shall bury or remove from said City the body of any deceased person without first obtaining such burial permit, and no undertaker or agent of any railroad, or conductor of any railroad train, or agent or employee of any express company, or any other person, shall remove the body of any deceased person who died in said City, or may have been brought into said City for burial beyond the limits thereof, without a permit from the Board of Health, or from a person designated ^{there} by them.

Sec. 1560. Penalty for Neglect or Failure.—Any person, whose duty it is to report a birth or death and the cause of a death, under the foregoing sections, and who shall fail to do so, or who shall violate any other provision of the preceding sections, may be summoned to appear, or be arrested, and taken before the Recorder's Court, and may, on conviction, be fined in a sum not less than ten nor more than one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

CHAPTER LX.

MARSHAL—EXECUTIONS—TAX SALES—CITY
WEIGHIERS, WEIGHTS AND
MEASURES.

Sec. 1561. Executions Prepared in Department Where They Become Delinquent.—All executions for delinquent bills or accounts due the City of Atlanta shall be prepared and docketed in the department where such bills or accounts become delinquent.

Sec. 1562. Executions Delivered to Clerk.—Executions thus prepared and docketed shall be promptly delivered to the Clerk of the Council, who shall issue such executions and enter same upon a docket to be kept in the said Clerk's Office.

Sec. 1563. Executions Delivered to Marshal—Enters Upon Docket—Proceeds to Enforce Collection.—Such executions shall be directed and delivered by the Clerk of Council to the City Marshal, who shall enter the same upon a docket to be kept in the said Marshal's office, and the Marshal shall proceed to enforce the collection of such executions in the manner prescribed by law. The docket of original entry, or a copy thereof, shall be kept in the office of the City Comptroller.

Sec. 1564. Marshal Endorse Executions in Ink—Dockets Show Entries.—The Marshal shall endorse in ink upon each execution the settlement, if the same is collected; and, if the execution is not collectible, the reason therefor. And the docket in the Marshal's office shall show the same entries. The Marshal shall then deliver executions thus endorsed to the Comptroller, who shall make entry of the Marshal's endorsements upon the proper execution dockets kept in the said Comptroller's office. Such executions shall then be delivered to the City Clerk, who shall make similar entries upon the execution dockets in his office, and the

said City Clerk shall be the custodian of cancelled, settled, and returned executions.

Sec. 1565. Marshal Cannot Settle Before Fi Fa Is Issued.—The Marshal is prohibited from settling with any defaulter before a fi fa is issued by the Clerk.

Sec. 1566. Street Tax Fi Fas—When Presented.—No fi fa shall be presented for street tax until a demand be made for payment.

Sec. 1567. No Tax Defaulters' Notices on Postal Cards.—All notices sent by the City officials to tax defaulters by mail, to pay their taxes, whether assessment licenses or otherwise, shall be made under cover, and not upon postal cards.

Sec. 1568. Tax Executions—Clerk to Issue—Directed to Marshal.—In all cases, where any person or persons, citizens of the City of Atlanta, or who have property subject to taxation within the limits of the same, shall fail, refuse or neglect to pay the taxes imposed according to law or ordinance of said City, the Clerk of Council shall issue executions for the same, which executions shall be signed by said Clerk, and bear test in the name of the Mayor, and be entered on the Comptroller's books, and be directed to the Marshal of said City, commanding him to levy on the goods, chattels, lands and tenements of the defendants, or so much thereof as shall be sufficient to satisfy the demand and cost, which execution shall bind all the property of the defendant; and the cost thereof shall be the same as on tax executions for like amounts by the law of this State.

Sec. 1569. Fi Fas to Be Levied by Marshal.—Whenever any fieri facias shall issue against any person or persons, citizens of said City, or who have property subject to taxation within the corporate limits of the same, for taxes, in the manner prescribed by the charter of this City, it shall be the duty of the Marshal forthwith to levy the same upon the property of the defendant, or a sufficiency thereof to satisfy said fieri facias and costs.

Sec. 1570. Advertisement and Sale in Due Course by Marshal.—Whenever the Marshal shall have any execution or executions

placed in his hands, he shall execute the same in the manner prescribed by law, and, whenever he shall levy any execution upon any goods, chattels, lands, or tenements, he shall advertise the same in one of the public gazettes of the City of Atlanta, once a week for four weeks prior to the day of sale; and the said Marshal shall, on the first Tuesday of each month, between the hours of ten o'clock in the forenoon and 4 o'clock in the afternoon, sell all property levied upon, in front of the Courthouse door of Fulton County, at public outcry, and shall knock down said property to the highest bidder, and execute titles to the same, if required. He shall collect the following fees:

For settling and collecting a fi fa	\$1.00
Levying fi fa over \$100	1.00
Levying fi fa \$100 and under .....	.35
Commission for selling property, the same amounts allowed Sheriffs, according to amounts of the various executions,	
Making deed	1.00

It shall be the duty of the Marshal to itemize the costs on the back of the fi fa, and to print this bill of fees on each fi fa.

Sec. 1571. Notice of Levy Five Days Before Sale.—Where real estate is levied on, it shall be the duty of the Marshal to give to the owner, or the tenant in possession, if the owner is unknown, a written notice of such levy five days before the sale, and to make a return of the service, and date of service, and by whom made, and upon whom perfected on the execution.

Sec. 1572. Redemption—Within What Time—How.—Whenever any land is sold under and by virtue of any tax execution issued in pursuance of the charter and ordinances of the City of Atlanta, the owner or owners thereof, his, her or their agent, or attorney, or the vendor of the land, when the purchase money has not been paid, shall have the right and privilege of redeeming the land thus sold within one year from the time of sale by paying the purchaser thereof the amount paid by such purchaser for said land, with legal interest thereon, and ten per centum premium on said amount, in current money.

Sec. 1573. Marshal Shall Keep Registry of Tax Sales—Copy of Advertisement, Etc.—The Marshal shall keep a register of all sales of real estate, whether vacant or improved, in a book provided by him for that purpose, in which he shall enter each tract or lot of land exposed to sale, the precise quantity sold, a copy of the advertisement, and the amount of taxes and costs the same was sold for, and the purchaser's name, leaving at the end of each line three columns in blank—leaving a sufficient space to insert the name of the person, who may redeem such lot or tract of land, the date of redemption, and the amount of redemption money paid, which book shall be kept in a neat and legible manner, and shall always be open for the inspection of any and all persons interested.

Sec. 1574. Marshal—Papers and Books to be Kept By.—Hereafter it shall be the duty of the Marshal of said City:—

First.—To keep a file of all newspapers, in which his official advertisements appear.

Second.—To keep an execution docket, wherein he shall enter a full description of all executions levied by him on any kind of property, showing what property levied on, the date of levy, and of the service of notice, together with all his acts and doings thereon.

Third.—To keep a book, in which shall be entered a record of all sales made by him, describing accurately the property and process, under which sold, the date of the levy and sale, and the purchase and price.

Fourth.—Said books shall have an index, which shall be kept up for each entry thereon.

Sec. 1575. Purchase By City—Property Sold by Marshal—The Chairman or a member of the Tax Committee shall act for the City in bidding the amount of tax and costs on property sold for tax by the Marshal, where no one bids that amount, and see that the Marshal makes the City a deed in pursuance of the Act of the Legislature approved February 27, 1877.

Sec. 1576. Clerk Shall Keep Record—Copies of Marshal's Advertisements and Deeds Kept by Him.—It shall be the duty of the Clerk of Council to prepare and keep in his office a book of

record of all property purchased by the City at Marshal's tax sales, showing whose property was so purchased, the amount bid by the Tax Committee, and what portion of the same was tax, and what portion Clerk and Marshal's costs, respectively. He shall also file and carefully keep in his office the deed made by the Marshal to the City, and the execution attached, which shall be delivered to him by the Marsal; also a copy of the newspaper in which any Marshal's sale, at which the City purchased, was advertised.

Sec. 1577. License Inspector Put in Possession by Marshal—No Trespass Allowed on Property—Collection of Rents, Etc.—

The License Inspector shall be the proper person for the City Marshal to place in possession of all property purchased by the City at Marshal's tax sales, and it shall be the duty of the License Inspector to keep careful watch over all such property, and see that no person is allowed to trespass thereon, in cases of vacant property, and look after the buildings (if the property is improved), rent the same, collect the rents, and return and pay all amounts collected for rent to the Tax Collector. The Clerk shall keep a record in the book above referred to of all amounts received for rent.

Sec. 1578. Redemption of Marshal's Deeds—How Made—Duties of Officers in Regard Thereto.—The owner desiring to redeem property so purchased by the City, may do so in one year from date of sale by applying to the Clerk of Council, and upon a compliance of any such person with the law, he, she, or it may be allowed to do so; and all redemptions of Marshal's deeds shall be upon receipts prepared by the Clerk and turned over to the Tax Collector in conformity with the coupon system; and the Clerk shall enter upon the Marshal's deed book a complete record of all redemptions, and other settlements of Marshal's deeds, giving dates, amounts, by whom redeemed or settled, and all other matters of importance connected with each transaction. The Comptroller shall prepare and keep a similar Marshal's deed book, which shall likewise show all the transactions connected with the said Marshal's deeds. The above ordinance is to carry into effect an Act of the Legislature of Georgia entitled "An Act

to provide for the manner of tax sales by municipal corporations, and for other purposes, approved February 27, 1877."

Sec. 1579. Property Bought at Tax Sales—Resold—Who Serves Notice.—In all cases where property, after having been bought by the City at tax sales, has been held one year, and by order of the Mayor and General Council is advertised to be sold again, as provided by law, it shall be the duty of the Collector of Street Improvements in office at the time such sales are advertised to serve the five (5) days' notice required by law on the tenant in possession, and to make return of such service in writing.

Sec. 1580. Service Perfected—How.—Such service shall be perfected upon the tenant in possession, if the property is occupied, and, if vacant, upon the owner, or his agent, if known; and failing all of these, such notice shall be conspicuously posted upon the property. The service in all cases to be made at least five (5) days before the day of sale.

Sec. 1581. Clerk's Duty, When Property Has Been Held One Year.—Property purchased by the City at Marshal's sale for City tax (by virtue of the provisions of an Act passed by the Legislature of Georgia, and approved February 27th, 1877), and which has been held by the City, under deed made in pursuance of such sale, for one year, shall be sold and disposed of by the City as follows: The Clerk of Council shall present to the Mayor and General Council at any regular meeting thereof a full descriptive list of all property so purchased, and which has been held, as aforesaid, for one year.

Sec. 1582. Council to Direct Sale by Resolution—Advertisement.—Said Mayor and General Council shall then, by resolution, direct the sale of all, or such a portion of said property, as in its judgment should be sold. Such direction being given, it shall be the duty of the Tax Committee to advertise such property for sale in a newspaper published in the City of Atlanta once a week for four weeks before a regular Sheriff's sale day, and to have notice of such proposed sale served on the

owner, agent or tenant in possession, or in case of vacant property posted thereon and return of service of this notice made as in cases of regular tax sales, and on such day, between the legal hours for Sheriff's sales, said Committee shall sell, or have sold, said property at public outcry to the highest bidder for cash.

Sec. 1583. Property Sold Separately.—Each piece of said property shall be sold separately.

Sec. 1584. Quit Claim Deeds Executed by Mayor.—Purchasers at such sales shall receive from the City a quit-claim deed, to be executed by the Mayor upon the payment of the purchase money to the Clerk of Council.

Sec. 1585. Marshal to Put Purchaser in Possession.—It shall be within the power and authority, and shall be the duty of the Marshal of the City of Atlanta, in all cases where he has heretofore sold, or shall hereafter sell, any property within the limits of the City of Atlanta, under executions issued to enforce the collection of assessments due the City of Atlanta, or transferees from the City of Atlanta, of such executions, to put the purchasers of the property so sold in possession thereof, on demand of said purchasers, just as if the property had been sold under ordinary tax execution issued by the City of Atlanta.

Sec. 1586. Public Weighers Appointed by Marshal—Give Bond—Term.—The public weighers shall be appointed by the City Marshal, subject to confirmation by two-thirds of the General Council, and kept under constant supervision by him. They shall give bond, with good security, in the sum of five hundred (\$500.00) dollars, payable to the City, for the faithful performance of their duties, and be subject to removal at any time. Their respective terms shall be for one year from the time of appointment and confirmation.

Sec. 1587. Entire Matter of Weighers, Weights and Measures Under Department of City Marshal—Detailed Reports By Him.—Complaints.—The public weighers and the entire matter of weights and measures, and the inspection thereof, as required

by this Chapter, shall be considered a part of the Department of City Marshal, and it should be the duty of this officer to supervise the public weighers, and also to see that the laws and ordinances relative to weights and measures are enforced. He shall make a written report to the Mayor and General Council at the beginning of each quarter, giving detailed and itemized statement of the complaints made to him and his actions thereon, and the number of inspections of weights and measures, and the corrections ordered by himself, and the City Weighers following these inspections. It shall be the duty of the City Marshal to receive and attend to all complaints for errors in weights and measures, and to give personal and immediate attention to the correction thereof.

Sec. 1588. Supervision of City Weighers Instead of Mayor.—All provisions of various sections of Chapter 37 of the Code of 1899, by which the supervision and control of City Weighers is attempted to be placed under the charge of the Mayor, are hereby amended, and all such provisions shall be made applicable to and enforced by the City Marshal.

(Note:—Changes all made in this Code to accord with above amendment.)

Sec. 1589. Standard Weights—From Whom Procured—Examination of Scale.—The Marshal shall procure from the Ordinary a set of standard weights and measures, and shall examine each and every scale, and other instrument for weighing and measuring in this City, and all weights and measures shall conform to said standard, and for each examination and arrangement of such scales, weighing machine or measures, he shall receive the sum of ten cents, and shall stamp the instrument with the letter A.

Sec. 1590. Penalty for Non-Conformity to Standard.—If at any time after the arrangement of such measures or weighing machine the Marshal shall find it not in conformity to said standard, he shall report the person using such false measure or weighing machine, and such offender shall, on conviction,

pay a fine of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1591. Wood-yards—Shall Erect Racks—Penalty for Failure.—All dealers in wood at wood yards in this City, after thirty days from this date, are required to put up racks for one-eighth, one-quarter, one-half, and one cord, and all wood sold from such yards shall be measured in such racks; and upon failure to comply with the requirements of this ordinance by any such dealer, shall, upon conviction, be fined in a sum not exceeding twenty-five dollars for each offense, in the discretion of the Recorder's Court.

Sec. 1592. System of Public Weighing Established.—A system of public weighing is hereby established, and the scales put in service by this ordinance shall be the standard for the City of Atlanta.

Sec. 1593. City Weigher—Where Located—Salary.—One City Weigher shall be employed at such salary as may be annually apportioned, and to be stationed as directed by the Marshal and to work under the general direction of the tax committee.

Sec. 1594. Fixing Salaries of Public Weighers.—The salaries of the two Public Weighers next to be appointed is hereby fixed at six hundred dollars each, per annum, payable in monthly installments.

Sec. 1595. Dealers in Coal Have Wagons Numbered—Size—Color.—All dealers in coal, and all others owning, controlling and operating wagons and teams for the delivery of coal to customers, shall have such wagons numbered in letters of white color, and not less than six inches in height, placed upon the sides of the wagon, where they can be easily seen.

Sec. 1596. Duties of City Weighers Outlined.—It shall be the duty of the City Weighers to weigh all coal, hay, straw, grain, or any merchandise, or anything that may be brought to them

to be weighed, and shall not charge exceeding ten cents per ton, or fraction thereof, for net weight; provided that all coke and coal shall be weighed free of charge. It shall also be the duty of the City Weighers to inspect all scales in the different coal yards in their respective territories, or all wagon scales at least once in six months, and oftener, if necessary, and for which service they shall charge a fee of fifty cents. The City Weighers shall be supplied with blank certificates, and shall furnish a duly attested certificate for each pair of scales inspected, and it shall be unlawful for any dealer to weigh with such scales without a duly attested certificate within date.

Sec. 1597. City Weighers Keep Books.—The City weighers shall, under the direction of the Marshal, keep regular books, showing the work done in their departments, for which fees have been earned. Said books shall be furnished by, and shall be the property of the City.

Sec. 1598. Hours of Service—Disposition of Receipts, Etc.—It shall be the duty of each City Weigher appointed under this ordinance, to attend at the public scales, for which he is appointed, from sunrise to sunset of every day (Sunday excepted), and to weigh every load of coal or merchandise, or whatever article or thing, which may be present to be weighed, and to give to the person presenting the same a certificate of gross, tare, and net weight thereof; to enter in suitable books, in tabular form, every load of coal or other thing weighed, designating the kind and weight thereof, and for whom weighed; to receive and receipt to the Comptroller for all blank certificates, which he may use or obtain; to settle with the Comptroller on the last Saturday in each month for all blank certificates, and pay to the City Tax Collector on Saturday of each week all moneys received by him as weigher, or for inspecting scales, taking duplicate receipts therefor, one of which shall be filed with the Comptroller; and to perform such other duties as may be required of him by ordinance.

Sec. 1599. Books—How Furnished.—The Comptroller shall furnish the weighers at scales belonging to the City with all

blanks, books, and stationery necessary to carry on a system of public scales.

Sec. 1600. Fees—Who Pays.—All fees allowed to be charged by this ordinance shall be paid by the person requesting such weighing to be done, unless otherwise specially provided for by law, or by the owner of the article weighed.

Sec. 1601. Interfering with Public Weigher—Penalty.—Any person, who interferes with the public scales of the City Weighers, while in the discharge of their duty, by demanding or exacting more weight of and for the article weighed than what he declares it to be, or by threatening or menacing him, or by using harsh or abusive language to him while in the discharge of his duty as a public officer, or who shall interfere with any person or persons, who are about to have weighing done, by menacing or otherwise abusing them therefor, or by using unseemly, profane, or offensive language toward them shall, upon conviction before the Recorder's Court, pay a fine of not less than ten dollars, or serve not less than ten days upon the public works.

Sec. 1602. Public Weighers Sign Certificates in Ink.—The public weighers of the City of Atlanta shall be required to sign certificates of weight in person, and said certificates shall be made out in ink.

Sec. 1603. Coal Dealers Furnish Written Statements to Purchasers.—All coal dealers and all persons engaged in the hauling and delivering of coal shall, on delivery of a load to a consignee or purchaser, furnish said consignee or purchaser a written statement, showing the name of the dealer, the name of the person hauling the coal, the weight of the coal, and the name of the driver.

Sec. 1604. A Ton Must be Two Thousand Pounds.—Each ton of coal sold must be of two thousand pounds weight.

Sec. 1605. Must Furnish Weigher's Certificate, if Demanded.—Every dealer in coal, and every person engaged in the hauling of same, shall, when demand is made by the purchaser or con-

signee, at the time of the purchase or order of coal furnish said consignee or purchaser with a certificate of one of the City's public weighers with each load of coal delivered, which certificate shall specify the name of the dealer, the name of the party delivering the coal, the weight of the wagon, and the weight of the coal; which certificate shall be furnished by the Public Weigher free of charge.

Sec. 1606. Unlawful to Reduce or Increase Quantity.—When.—It shall be unlawful for any one by any means to either reduce or increase the quantity or weight of the coal between the time of the weighing of same, whether the same be weighed upon the public scales, or upon the scales of the dealer, and the delivery of same to the purchaser or consignee.

Sec. 1607. Purchaser May Demand Weighing—May Compel—How.—Any purchaser or consignee of coal to the amount of one ton or more, may at the time of delivery of same, and before same is unloaded, demand the weighing of same upon the City scales, of the dealer, driver, or person hauling same, whose duty it shall be to have same weighed as demanded, and furnish certificate of City's Weigher, as demanded, showing the gross weight of vehicle and load, and the net weight of the load. The consignee or purchaser may, at the time said demand is made, report the name of the dealer, the person or firm engaged in the hauling, or the driver, or all three, to any police officer, in which event it shall be the duty of said police officer to personally attend the weighing of the coal and vehicle provided following this section, and to make a case against the party or parties reported, provided it is found that the weights claimed are not correct as represented.

Sec. 1608. Twenty-Five Pounds Short Weight a Violation.—Whenever any quantity of coal amounting to one ton or over, shall be found to weigh twenty-five pounds or more per ton less than the quantity sold, the dealer, hauler, driver, or other persons responsible for the deficiency, either or all, shall be held to have violated the provisions of this ordinance.

Sec. 1609. Certificate of Weigher Cannot Be Altered.—It shall be unlawful for any person to alter or in any manner change any certificate furnished by the dealer or by the City Weigher, in accordance with the provisions of this section.

Sec. 1610. Penalty for Violation.—Any person violating any one of the foregoing provisions shall, on conviction in the Recorder's Court of said City, be fined a sum not exceeding one hundred dollars, and serve not over thirty days in the City chaingang, in the discretion of the Court.

Sec. 1611. Cannot Imitate Weighers' Certificates.—It shall be unlawful for any person, firm, or corporations, dealing in such articles as are subject to be weighed by the public scales of the City, to have in the possession, or to issue, certificates of weight in imitation of the certificates furnished by the Public Weighers, and said imitations, either in form or wording, is hereby made a penal offense.

Sec. 1612. Police Stop Wagons Occasionally and Have Them Weighed.—It shall be the duty of the Chief of Police, at uncertain intervals, not less than twelve during the current year, to deputize some policeman to stop the wagons, or other vehicles, of coal dealers, and such others as are subject to this ordinance, and have same weighed on the public scales, and, if the weight is found short of that named in a Public Weigher's certificate to prosecute said person or persons in the Recorder's Court.

Sec. 1613. Penalty for Violation.—Anyone violating any of the provisions of Section 1095, shall, on conviction before the Recorder, be fined in a sum not exceeding one hundred dollars, or serve upon the public works not more than thirty days, either or both in the discretion of said Recorder.

Sec. 1614. Ice Wagons Must Have Scales.—It shall be unlawful for any persons, firm, or corporation, to sell ice from wagons without having in or attached to such wagons scales, by which accurate and correct weights may be made of ice sold therefrom.

Sec. 1615. Penalty for Misrepresentation of Weight or Violation of Above Section.—Any person, firm, or corporation, having owning, operating, or driving any wagon, from which ice is sold, who shall sell, or offer for sale, deliver or offer for delivery ice as weighing one amount, when in fact it weighs less than the amount asked for, or represented, or shall violate the provisions of Section 1 of this ordinance, shall be guilty of an offense, provided the purchaser or purchasers shall demand that the same be weighed or re-weighed, and the vender or driver shall refuse to comply therewith, and on conviction thereof in the Recorder's Court shall be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days, one or both penalties to be imposed in the discretion of the Recorder.

CHAPTER LXI.

MAYOR. MAYOR PRO TEM.

Sec. 1616. The Mayor—Location of His Office, Etc.—The Mayor shall keep his office at some central point of the business portion of the City, and shall have for his office hours such times of the day as he may designate, to be not less than three hours each day (except Sunday), during which hours, save in the event of Providential hindrance, or absence from the City on official business, he shall be present at said office. The rent of said office shall be paid by the City.

Sec. 1617. Use of Mayor's Office by Other Officials, If Desired.—The office of the Mayor in the business portion of the City may be used by the City Treasurer, if that officer so desires, and by various Committees of Council.

Sec. 1618. Duties—Approval or Disapproval of Ordinances.—It shall be the duty of the Mayor, or acting Mayor, to transmit to each meeting of the General Council his official approval or disapproval of all ordinances, resolutions, or other actions of the General Council at the preceding regular and special meetings of such General Council.

Sec. 1619. Mayor May Call Meeting of Heads of Departments.—The Mayor shall have power to call a meeting of the heads of the departments at any time that he may deem necessary for the interest of the City.

Sec. 1620. Heads of Departments Meet with Mayor at Noon Each Saturday—Differences Settled by the Mayor.—The heads of the various departments of the City Government, unless excused by the Mayor, shall meet in the Mayor's office every Saturday at noon for the purpose of discussing and determining the work to be done by each Department the following week. The

Mayor shall preside, and, in case of disagreement among the heads, the Mayor shall decide between them.

Sec. 1621. Pardoning Power—If Fine Fifty Dollars or Less, or Imprisonment Less than Thirty Days, Recommendation of Recorder Necessary.—The Mayor, or in his absence or inability, the Mayor pro tem, shall be authorized upon a proper case made and in his discretion, to remit a portion or all of the penalty imposed by the Recorder for violations of City ordinances: Provided, if the fine in any case be fifty dollars or less, or the sentence to imprisonment for less than thirty days, the Mayor shall not entertain any application for executive clemency unless the petition for pardon is accompanied by a written recommendation from the Recorder or Court trying the case.

Sec. 1622. Mayor's Secretary—Salary—Position of Messenger Abolished.—Authority is hereby conferred upon the Mayor of appointing in his discretion, a Secretary for the Department of Mayor, at a salary not to exceed one thousand dollars per annum whose duties, besides those as Secretary to the Mayor, shall be such as are now performed by the Messenger and in addition such other duties as may from time to time be designated by the Mayor. The office or position known as Messenger is hereby abolished.

Sec. 1623. Appointments by Mayor—Confirmation by Council—When.—From and after June 1, 1905, all appointments made by the Mayor, which under existing ordinances require confirmation by Council, shall be transmitted to the Council at a regular meeting, and remain in office of the Clerk until the next regular meeting, at which Council shall, unless otherwise disposed of, confirm or reject the same.

Sec. 1624. Mayor Pro Tem.—When Elected.—The General Council shall, at the first meeting in January of each year determine by viva voce vote which Alderman shall be elected Mayor pro tem. A salary is fixed for this office at the sum of \$50.00 per month, to be paid to the officer selected to act as Mayor pro tem.

Sec. 1625. How Votes Shall be Taken in all Elections by Council.—In all elections by the General Council the vote shall be taken **viva voce** on the call of the roll by the Clerk, and shall be entered on the minutes of the General Council.

CHAPTER LXII.

MONEY LENDERS—INSTALLMENTS—REGULATIONS.

Sec. 1626. Method of Obtaining License for Making Loans on Furniture, Etc.—Buying Wages or Salaries—Change of Location—Procedure.—All persons, firms, or corporations, engaging generally, regularly, or collaterally, to any other business, in the business of making loans on household or kitchen furniture, household goods, wearing apparel, sewing machines, musical instruments, wages or salaries, or in the business of buying wages or salaries, shall, prior to the time the license therefor is issued to said parties, either as a money lender or as specifically carrying on either or all of said business, or as carrying on either or all of the said business as collateral to some other business, file with the Clerk of Council a statement on oath, giving the location where such business is to be conducted, the name and the private and business address of the applicant, if an individual; the name and private and business address of the partners, if a partnership, and, if a corporation, the name of the State by which chartered. Should the license above named change the location of said business, the license issued to them as a money lender, banker, or any business, to which the business above enumerated are collateral, shall be void, unless such licensee shall ten days prior to changing the location, file with the Clerk of Council a notice of the proposed change of location, and the same shall be endorsed upon said license by the Clerk of Council. In default of complying with these provisions, said license shall be, ipso facto, null and void.

Sec. 1627. License to be Publicly Displayed—Licensee Gives Bond to City—Persons May Sue on the Bond, if Breach of Faith Occurs.—The license issued by the Clerk of Council under the provisions of this ordinance, shall be kept publicly exposed by the licensee on his business premises. Said applicant shall file with the Mayor of the City a bond with good security in the

penal sum of \$500.00 payable to the Mayor of this City, his successors in office, conditioned for the faithful performance by the licensee of the duties and obligations pertaining to the business so licensed, and the prompt payment of any judgment which may be recovered against said licensee on account of damages or other claims arising directly or collaterally from any loan of money or sale of wages or salaries. Any person having a cause of action against said licensee for the violation of any legal duty or obligation arising directly or collaterally out of any loan of money or sale of wages or salaries may sue on said bond, and have a right to recover from the licensee and the said sureties, in the name of the City, for their use, for any damages suffered on account of failure to comply with the terms of said bond, as above stipulated. Should any surety on said bond become insolvent, the Mayor may immediately require the licensee to file an additional bond with good security, and on failure to do so, within ten days after notice, said license must stand, ipso facto, revoked.

Sec. 1628. Licensee Shall Keep Record of Loans—Gives Borrower Duplicate Statement of Entries in Book—Open to Inspection—By Whom.—Every licensee under the terms of this ordinance, shall keep on the premises, where such business is conducted, a book, in which shall be recorded, consecutively numbered, legibly written in English, at the time of making each loan, the name and residence of the borrower, the amount of the loan, the time of maturity, the rate of interest, the fees charged in connection with the loan, and the full description of the security, and the licensee shall at the time give to the borrower, legibly written in English, a duplicate statement of the entry in said book, which statement shall be signed by the licensee or his agent, and numbered to correspond with the number in said book. Said books shall, at all times, during business hours, be open to the inspection of the Mayor, License Inspector, Chief of Police, or any other officer directed thereto by the Mayor of the City of Atlanta.

Sec. 1629. Penalty for Violations of Ordinance.—Should any person carrying on the business described in the caption of this ordinance, fail to comply with the terms of the several sections

of this ordinance, then the license issued for said business, either as a money lender or as collateral to some other business, shall stand, ipso facto, revoked, that is, the license issued to the money lender, banker, or other persons doing the business described in the caption or Section 1 of this ordinance, shall be revoked, if said person, while doing said business, fails to comply with the terms of this ordinance. In which event said licensee, his agents, employees, each and every person connected therewith, shall be subject to be prosecuted in the Recorder's Court, and on conviction thereof, shall be punished with a fine not exceeding \$500.00, or imprisoned not exceeding thirty days or forced to work upon the public works not exceeding thirty days, for each and every violation.

Sec. 1630. License Fee—Minimum One Hundred Dollars.—The fee for conducting the business herein provided shall be not less than \$100 per annum, whether issued to the applicant as a money lender, banker, or under whatever name the applicant desires to take such business, either directly as a money lender or purchaser of wages, or as a purchaser thereof, or as collateral to some other business. No other fee shall be charged for the work required under this ordinance, or under the State statute, except in the manner above provided.

Sec. 1631. Penalty for Failure to Register—Or Give Bond—Each Person Participating in Violation Equally Guilty.—Should any person, firm or corporation, engaged generally, regularly, or collaterally to some other business, in the business of making loans or purchasing wages or salaries, as described in the caption or in Section 1 of this ordinance, without first registering said business, giving bond, and complying with the other terms of this ordinance, then said person, firm, or corporation, their agents and employees, shall, on conviction in the Recorder's Court of the City of Atlanta of a violation of this ordinance, be fined not exceeding \$500, or imprisoned not exceeding thirty days, or forced to work upon the public works not exceeding thirty days, in the discretion of said Recorder, for each violation of this ordinance. Each person participating in the violation of this ordinance shall be equally guilty with the principal, and shall be subject to a like punishment.

CHAPTER LXIII.

NEAR BEER—REGULATIONS GOVERNING LICENSE,
SALE AND OPERATION OF BUSINESS—
PENALTIES

Sec. 1632. License—Fees—Regulations.—It shall be unlawful for any person, firm or corporation to engage in the business of selling "near beers" such as "Bud," Malt Mead, Acme Brew, Red Buck Ale, or any similar drinks and commonly known as "near beer" used or intended to be used as substitutes for lager beer within the limits of the City of Atlanta or within the police jurisdiction of the Recorder's Court of the City of Atlanta, unless said persons, firms, or corporation shall comply with the following conditions:

(a) An application shall be made to the Mayor and General Council to secure such license, setting forth the place where the business is to be conducted; same shall be referred to the Police Committee of said Council and granted only by a majority vote of Council.

(b) The amount to be paid by the applicant for such license shall be Two Hundred (\$200.00) Dollars, per annum.

(c) The applicant or any agent acting for him will not be permitted to sell "near beer" or any of the similar drinks in this chapter as specified, on the Sabbath day; or to serve the same to minors at any time, or to serve any free lunch therewith at any time.

Sec. 1633. No Transfer of License, except by Council.—It shall be unlawful for any person having been granted license under this ordinance to transfer the same, without consent of the Mayor and General Council.

Sec. 1634. Stamps—Maker's Name on Kegs and Caps.—It is required that all persons selling "near beer" specified in Section 1, in kegs, bottles or otherwise, shall have the kegs and

bottles so stamped that the kegs or caps on the bottles or other vessels will show the name of the manufacturer of said "near beer."

Sec. 1635. Penalty.—Any person who shall be found guilty of violating any of the foregoing provisions, on conviction thereof in the Recorder's Court, shall be fined not more than Five Hundred (\$500.00) Dollars, or imprisoned not more than thirty (30) days in the City Stockade, either or both to be inflicted in the discretion of the Recorder.

Sec. 1636. Conviction Revokes License.—It is further provided that upon conviction of any applicant who shall obtain a license under above sections for the violation of any of the provisions thereof, the said conviction shall work the immediate revocation of the license.

Sec. 1637. Advertised.—All applications for license to sell near beer, and such drinks as are classified under that head, shall be advertised for at least 5 times, on different days, before same are filed with the Mayor and General Council.

Sec. 1638. Permission of Landlord, Written.—Each application shall be accompanied with a written permission of the landlord or agent of the store or place at which the license is sought.

Sec. 1639. Consent of Two Near Neighbors.—Each application shall likewise be accompanied with the written consent of at least two near neighbors in the same block with the store or place at which license is sought.

Sec. 1640. Deposits of Whiskey and Beer—Traveling "Blind Tigers."—It shall be unlawful for any person, firm or corporation, their agents or employees, to take intoxicating liquors on deposit in soft drink or "near beer" stands. Persons holding such license shall not receive or retain at such places intoxicating liquors or beer on deposit or to be kept there until called for or to allow same to be left with them for any purpose or to allow people to drink beer or whiskey so left at their places or

brought to their places, and it shall likewise be unlawful for any person to carry intoxicating liquor or beer on his person for purpose of unlawful sale, or to carry same around the streets for the purpose of unlawful sale, making what is known as a "traveling blind tiger."

Sec. 1641. Deposits at any Place over Six Hours—In Transit.—It is likewise unlawful for any person, firm or corporation, their agents or employees, to receive intoxicating liquors or beer where same is left with them on a claim that it is deposited for the time being and will be called for afterwards where such deposit continues over a space of six hours. This last provision shall apply to any place of business where the proprietors or agents allow intoxicating liquors or beer to be left on a claim of deposit and permit same to be so retained for exceeding six hours on a claim that it is "in transit" to some other place and is left there exceeding the limit before fixed.

Sec. 1642. Penalty.—Any person, firm or corporation, its agents or employees, violating the provisions of preceeding sections or any of them, shall, on conviction in the Recorder's Court, for each offense, be fined not exceeding Five Hundred (\$500.00) Dollars or sentenced to work on the public works for not exceeding thirty days,—either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1643. No Sales to Women—Congregation of Women.—It is unlawful for any person, firm or corporation, holding a license heretofore issued or which may be hereafter issued for the sale of "near beer" and similar drinks, and having a place of business where same are sold, to sell to women, either in said place of business or through doors or windows leading thereto, or otherwise permitting women to congregate in or about said place of business.

Sec. 1644. Penalty.—Any person, firm or corporation, their agents or employees, violating the provisions of succeeding section shall on conviction in the Recorder's Court be fined a sum not to exceed One Hundred (\$100.00) Dollars, or receive a sentence of thirty days on the Public Works, either or both

penalties to be inflicted in the discretion of the Recorder, and such conviction shall ipso facto, immediately work a revocation of such license to operate a "near beer" saloon and sell such products therein.

Sec. 1645. Close on Sunday—Other Business Regulated—Persons, firms or corporations having a license to sell preparations known as "near beer," or substitutes for lager beer or like drinks requiring a special license, shall close their places of business on Sunday, and such places of business shall be closed on Sunday although operated in connection with some other business. The closing of the part of the building in which near beer business is conducted shall be construed as a compliance with this ordinance.

Sec. 1646. Penalty.—Any person, their agents or employees, violating the provisions of Section 1645 shall on conviction in Recorder's Court, be punished by a fine not exceeding \$200.00 or imprisoned on the Public Works not exceeding thirty days, one or both penalties to be inflicted, in the discretion of the Recorder and on such conviction, the license granted to sell such near beer, etc., shall be ipso facto revoked, and it shall thereafter be unlawful to sell or furnish such near beer, etc., at such place, under penalty of this Section.

Sec. 1647. Dealer Must Own Lease—Consent of Landlord.—Each applicant for a license to sell near beer shall have a lease or contract showing right of possession to the premises at which near beer is desired to be sold, and the consent of the landlord or agent agreeing that near beer may be sold on said premises.

Sec. 1648. Obstructions to View—Screens—Blinds—Painted Glass—Unlawful.—No place at which a license to sell near beer, substitutes for beer and similar soft drinks, has issued, shall have any screen, blinds, or painted glass or any obstruction of the view through the doors or windows thereof and this ordinance shall apply to any character of obstruction to the view through said doors or windows whether said obstruction be temporary or permanent.

Sec. 1649. Penalty.—Any person, firm or corporation, their agents or employees violating the provisions of preceding Section or this ordinance, shall, on conviction in Recorder's Court, be fined not exceeding \$200.00 or imprisoned not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder, and on said conviction the license covering such a place shall be revoked ipso facto where it appears that the obstruction was known to the proprietor or had been up a sufficient length of time for him to have known it, if exercising the proper supervision.

Sec. 1650. Not Apply to Parts of Stores, if Partitions and Open View.—In cases where licenses have or may be granted to persons occupying parts of a store or building and partitions have been built whereby such places may be closed, as required by previous ordinances, such partitions shall not be held as violating the provisions of this ordinance; provided the doors and entrances of such place are kept open and unobstructed or where glass is used, such glass is transparent and the view through same unobstructed by frosting, stained glass, or otherwise; provided the provisions of this ordinance shall not prohibit the painting of the name of the proprietor and his business on the window, if such name is painted in such way as not to obstruct the view.

Sec. 1651. Close on Christmas Day.—All near-beer saloons, or places at or in which near beer is licensed to be sold, shall be closed on each Christmas Day and the doors thereof shall not be opened for any purpose nor shall any person pass in or out of same on that day.

Sec. 1652. Penalty to Open On.—Any person violating the provisions of this ordinance shall, on conviction in the Recorder's Court, be deemed guilty of an offense and be punished by a fine of not exceeding one hundred dollars or sentenced to work upon the street or public places of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1653. Advertisement—Signs—To Sell Intoxicants—Illegal.—It is unlawful for the proprietor or manager of a licensed "near beer" saloon to exhibit at or around his place signs advertising the sale of beer or whisky or any character of intoxicating drinks, and it shall likewise be unlawful for such proprietor or manager to advertise in the newspapers or by circulars or letters or by other means that he is selling at his place of business either beer, or whisky or any character of intoxicating drinks.

Sec. 1654. Revocation of License for.—Upon violation of preceding Section, the license issued to such proprietor or manager shall be subject to be revoked by the Mayor and General Council, and upon conviction of a violation of preceding Section in Recorder's Court, said license shall be ipso facto revoked and sales thereafter shall be held illegal on account of lack of license.

Sec. 1655. Penalty.—Any person, their agents or employees, violating any of the provisions of this ordinance, shall, on conviction in the Recorder's Court, be punished by a fine not exceeding One Hundred (\$100.00) Dollars, or imprisoned upon the Public Works not exceeding thirty days, either or both punishments to be inflicted in the discretion of the Recorder.

Sec. 1656. Closing Time—Where Near-Beer Sold—Billiard and Pool Rooms.—All store rooms, or other places within or at which the sale of "near beer" and such drinks as are covered by what is known as the "near beer" ordinance, is licensed under said ordinance, and all rooms, stores or other places within, or at which billiard or pool rooms are licensed, under the ordinance of the City, shall be closed at eleven (11) o'clock p. m. on each day legally opened, and shall not be re-opened prior to six (6) o'clock a. m. following the closing hour, except on days during which the sale is prohibited, and in such cases, they shall not be re-opened prior to six (6) o'clock of day permitting sale.

Sec. 1657. Penalty.—Any dealer, or licensee, his agent or employee, or other persons opening said store rooms, or licensed places, in violation of this ordinance shall, on conviction in the

Recorder's Court, be fined not exceeding Two Hundred (\$200.-00) Dollars, or imprisoned on the public works not exceeding thirty (30) days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1658. Billiard and Pool Rooms in or at Which Near-Beer Not Sold,—11:30 P. M.—The provisions of this ordinance shall not apply to Billiard and Pool rooms in which near beer is not sold or served, or into which there is no door or opening from a place or room where near beer is sold and all such Billiard and Pool rooms may be kept open until 11:30 o'clock p. m. The foregoing ordinance shall otherwise apply to all billiard or pool rooms.

Sec. 1659. Limits for Near-Beer Saloons.—The following limits are hereby fixed and established as defining the territory within which licenses may be granted for the sale of near beer or similar soft drinks, to-wit: All that portion of the City of Atlanta included within the following description, beginning at the corner of Decatur street and Central avenue, and extending eastwardly out Decatur street to Fort street; thence northwardly along Fort street to Edgewood avenue; thence along Edgewood avenue to Pryor street; thence along Pryor and Peachtree streets to Ellis street; thence westerly along East and West Ellis streets to Carnegie Way, thence southerly along Carnegie Way to Forsyth street; thence southwestwardly along Forsyth street to Marietta street; thence westerly along Marietta street to Magnolia street; thence southwestwardly along Magnolia street to New Mangum street; thence southerly along Mangum street to Hunter street; thence easterly along Hunter street to Elliot street; thence southerly along Elliot street to W. Mitchell street; thence eastwardly along East and West Mitchell streets to Central avenue; thence northwestwardly along Central avenue to beginning point, at the corner of Central avenue and Decatur street; including both sides of said boundary streets; provided, however, that said limits shall be extended beyond the boundary lines above defined as follows: On Decatur street from corner of Decatur street and Central avenue eastwardly to Cornelia street; also on Marietta street from the corner of Marietta street and N. Forsyth street north-

westwardly to North avenue on Peters street, from Madison avenue to Feehter alley; provided further that there shall be no such near beer saloons on Houston or within 50 feet thereof.

Sec. 1660. No License Outside Above Limits.—No licenses to sell near beer or similar soft drinks shall be granted to any persons, firm or corporation in any other section of the City than in the limits as above defined, and on such portions of Decatur, Marietta and Peters streets, as are added thereto.

Sec. 1661. In These Limits, No License in Residence Sections.—Inasmuch as the above limits comprise certain territory devoted to resident rather than business purposes, it is further specially ordained that no license to sell near beer or similar soft drinks shall be granted within the said defined limits in residence sections, but said licenses shall be granted only on business portions of business streets.

Sec. 1662. Former Ordinances Apply—Except as to Territory Outside Limits—These Repealed.—All laws governing applications for such licenses and the regulation and conduct of the business conducted thereunder, shall be made applicable to all of said territory and are hereby re-ordained, except such ordinances as permit the granting of licenses in other sections of the City other than those enumerated, and such ordinances are hereby repealed.

Sec. 1663. Conviction of Violating—Any Ordinance Regulating Whiskey or Beer, Forfeits License.—Any person, firm or corporation licensed under the ordinance of the City to sell "near beer" and similar drinks, who shall be convicted in the Recorder's Court of the City of Atlanta, of violating any of the ordinances of the City against the sale or keeping on hand for unlawful sale, whiskey, beer or other intoxicating drinks, shall thereby forfeit his license to sell "near beer" and similar drinks, and the conviction aforesaid in the Recorder's Court, shall ipso facto work a forfeiture of his license to sell near beer and similar drinks.

Sec. 1664. Penalty for Selling After Forfeiture.—Any person, their agents or employees who shall, after conviction and forfeiture of license as provided in preceeding Section, sell or offer for sale "near beer" or similar drinks, covered by what is known as the "near beer" ordinance, shall be guilty of a misdemeanor, and on conviction thereof in the Recorder's Court, shall be fined not exceeding One Hundred Dollars or imprisoned upon the Public Works not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1665. "Whites" or "Blacks"—Not Both.—All applications for license to sell near beer or similar drinks shall state if the license is desired for purpose of selling to "whites" or "negroes."

Sec. 1666. License so Marked.—No license to sell near beer or similar drinks shall be granted generally, but each license granted shall state whether same licenses sales to "whites" or "negroes," and this limitation shall be printed or written on the receipt or license issued by the Clerk of Council.

Sec. 1667. Sell Only to Race Shown on License.—All licenses under said applications shall sell only to the race indicated on their license, and only one license shall be granted at one place.

Sec. 1668. Present Licensees Must Select Race—How.—All persons, firms or corporations, now holding a license for the sale of near beer or similar drinks are hereby given ninety days from the date of the approval of this ordinance to elect as to which race they will sell, and during said ninety days they shall communicate their preference to the Committee on Police, and said Committee shall thereupon decide which race may be served, and cause this to be entered on the license or receipt shall thereupon be surrendered to said Clerk, who will issue one in lieu thereof, in accordance with this ordinance.

Sec. 1669. Applications—Penalty.—Such applications as do not comply with this ordinance shall be rejected, and any licensee, his agent or employe, selling or having on hand for the purpose of sale, any near beer or similar drinks to whites and ne-

groes, under the same license or at the same place, shall be deemed guilty of an offense, and upon conviction thereof in the Recorder's Court, shall be punished by a fine not exceeding \$500.00 or sentenced to work on the public works not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1670. Applications Form—Neighbors.—All applications for license to sell near beer or similar drinks shall set out the address of the near neighbors, signing such applications, giving the street and number of the location claimed to be the near location at which such license is sought. Such applications shall likewise state if same is for a renewal of license or for a new license, or for a transfer of a former license, and if the applicant desires to sell at wholesale or retail. A failure to comply herewith shall invalidate the application.

Sec. 1671. Sign—Race Served—Penalty.—A sign shall be displayed at the entrance to each place at which license to sell near beer has been granted, posted over the door, or on the side thereof, in plain view, in letters at least two inches high and one-half inch in thickness, displaying the following words: "Licensed to sell near beer" and any person, firm or corporation, failing to comply with this section and selling or having on hand at such place for the purpose of sale, near beer or similar drinks, shall be deemed guilty of an offense, and on conviction thereof in the Recorder's Court, shall be fined not exceeding \$100.00 or sentenced to work on the public works for not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder, who is, also, hereby authorized to forfeit the license for such place in case of conviction.

Sec. 1672. Women—Illegal to Sell, Give or Hand to, At or Near Saloon.—Any person, firm or corporation, their agents or employees, or anyone else, selling, giving or handing to women or minors, near beer or similar drinks at places at which such drinks are licensed for sale, or in the doors thereof, or through windows or other openings therein, or within thirty feet thereof shall be punished as prescribed in Section 1644 of this ordinance and the license subject to forfeiture, as therein provided.

Sec. 1673. Percentage—Four Per Cent.—No license shall be granted to anyone to sell any beverage containing a quantity of alcohol of four (4) per cent., or greater. Anyone convicted in the Recorder's Court of selling a beverage containing four (4) per cent. or greater of alcohol shall at once forfeit his license.

Sec. 1674. Near Beer Not Sold Drunkards after Notice by Officer.—It shall be unlawful for any licensed near beer dealer in the City of Atlanta to knowingly and wilfully sell, give or furnish any near beer to any person who has been adjudged an habitual drunkard by the Recorder of the City of Atlanta, and whose name, together with the record of such adjudication has been furnished such licensed near beer dealer by the Probation Officer.

Sec. 1675. Penalty.—Any near beer dealer violating the provisions of preceding section hereof, shall, upon conviction in the Recorder's Court of the City of Atlanta, be punished by a fine of not exceeding \$200.00, or by work on the streets or public works of the City of Atlanta for not exceeding thirty days, either or both punishments to be inflicted in the discretion of the Recorder.

Sec. 1676. Near Beer—Sold by Quart—Not Drunk on Premises.—No person, firm or corporation licensed to sell near beer or similar soft drinks, under the ordinances of the City of Atlanta, shall permit draught near beer, when sold in quantities of one quart and upwards to be drunk in or at the premises, or within any appurtenance thereof connected with the premises, at which the license is granted.

Sec. 1677. Person Buying Quart or More Not Drunk on Premises.—No person buying draught near beer, at the place at which near beer or similar soft drinks is licensed, in quantities of one quart and upwards shall drink same upon the premises or within any appurtenance thereof or connected with the premises at which said license is granted.

Sec. 1678. Penalty.—Each and all persons, their agents and employees violating the provision of this ordinance shall on con-

viction in the Recorder's Court be punished by a fine of not exceeding one hundred dollars, or sentenced to work upon the streets or public places of the city for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder, and in the case of a violation of this ordinance by a licensee or his employees, holding a license for the sale of Near Beer and similar soft drinks, such conviction shall work a forfeiture of such license, and this forfeiture shall take effect at the date of conviction without regard to certiorari or similar means that may be used to postpone the sentence.

CHAPTER LXIV.

NUISANCES.

Sec. 1679. Nuisances—Board of Health May Inquire, Hear Evidence, Etc.—As to Existence.—The Board of Health of the City of Atlanta, are hereby empowered, in any case in which complaint may be made before them by any citizen, or in which their own investigations as health officers may show it to be necessary, to summon before them the owner, agent in control of, or tenant in possession of any premises, in the City or on the lands constituting the water-shed of the waterworks, incorporated for the purpose of allowing the City authorities to preserve the purity of the water in the reservoir, and the streams contributing thereto, on which it is claimed a nuisance exists, and to hear evidence and determine the question of the existence of such nuisance.

Sec. 1680. Judgment of Board Conclusive—Orders Passed for Abatement of Nuisance.—The judgment of the Board of Health as to the existence or non-existence of a nuisance in any case thus tried, shall be conclusive, and, where the existence of a nuisance is thus determined in any such case, the Board of Health may, in their discretion, pass an order requiring the owner, agent in control of, or tenant in possession of the premises, whenever such nuisance exists, to abate the same in such number of hours as may seem reasonable to said Board of Health, or pass an order, requiring the City Marshal immediately to abate the same at the expense of such owner, agent, or tenant.

Sec. 1681. Penalty for Failure or Refusal to Abate Nuisance.—In any case wherein the owner, agent, or tenant as aforesaid shall have been required to abate a nuisance adjudged by the Board of Health on a trial as aforesaid to exist on his or her premises, and shall fail to abate the same within the time al-

lowed by order of the Board of Health, such owner, agent, or tenant, as the case may be, shall, on conviction before the Recorder's Court, be punished by a fine not exceeding One Hundred Dollars, or imprisoned at labor not exceeding thirty days; and each day such nuisance is continued shall constitute a new offense, and on the trial of such a case before the Recorder, the certificate of the Secretary of the Board of Health shall be conclusive evidence of the finding of the Board of the fact of the existence of the nuisance, and of the time allowed, in which to abate the same, and of the fact that the time thus allowed was reasonable and sufficient.

Sec. 1682. Abatement by City Officer—Expense Borne by Whow—How Collected.—When any nuisance is abated by the Marshal under order of the Mayor and General Council, or of the Board of Health, in cases tried by them as aforesaid, the City Clerk shall issue an execution in favor of said Marshal against the owner, agent in control, or tenant in possession of the premises, whereon such execution shall be levied and collected as in case of tax executions, and shall be a lien on the property whereat such nuisance was abated until fully paid off.

Sec. 1683. Mayor and General Council May Determine Question of Existence of Nuisance—In That Event Board of Health Do Not Also Act.—Nothing herein contained shall be held to deny or abridge the jurisdiction of the Mayor and General Council to try and determine the question of the existence of nuisances of any kind, and to provide by their judgment and order for the abatement thereof in cases tried before them by the defendant or the Marshal as aforesaid, except that on case already tried before the Board of Health shall be re-tried before the Mayor and General Council, nor shall any case already determined by the Mayor and General Council be again tried by the Board of Health.

Sec. 1684. Defendant—How Summoned—Opportunity to Be Heard in His Defense.—Whenever a trial before the Mayor and General Council, or before the Board of Health, becomes necessary in order to determine whether or not a nuisance exists in any particular case, a summons must be issued by the City

Clerk, directed to the owner, agent in control of, or tenant in possession of the premises, where a nuisance is charged to exist, and be served by the Marshal, his deputy, the Chief of Police, or any officer or member of the police force, or one of the sanitary inspectors, upon such owner, agent, or tenant. This summons must specify the place and character of the nuisance complained of, and fix the time and place for trial, and state before which Board the trial will take place. The Defendant must be given reasonable opportunity to secure Counsel and testimony before the trial begins, but no postponement shall be had on this ground, where full diligence on his part is not shown.

Sec. 1685. Recorder Has Jurisdiction of Nuisance Cases, where They are not Heard by One or the Other of the Boards.—The Recorder's Court, as heretofore, shall have full jurisdiction to try and dispose of all questions of nuisances affecting the public health, in which no action is had before the Mayor and General Council as a Court, or before the Board of Health sitting as a Court as hereinbefore provided, and shall also have jurisdiction to try and, in case of conviction, to punish persons failing to abate nuisances under order from the Mayor and General Council, or the Board of Health sitting as a Court as aforesaid.

Sec. 1686. Soap Factories Cannot Be Operated within Outer Fire Limits.—It shall be unlawful to erect, maintain, or operate soap factories or places for the manufacture of soap, or similar products, within the outer fire limits.

Sec. 1687. Soap Factories Cannot Be Operated without the Outer Fire Limits—Except by Permit and Consent of Neighbors.—It shall be unlawful to erect, maintain, or operate soap factories, or places for the manufacture of soap or similar products, without the outer fire limits, unless petition shall be made therefor to the Mayor and General Council, accompanied with the written consent of the near neighbors, and thereupon the General Council shall consider said Petition, and, if they find that same can, and will be, conducted in a sanitary manner, unaccompanied with offensive odors, shall be granted; otherwise refused.

Sec. 1688. Ailantus or Tree of Heaven Declared a Nuisance—Penalty for Failure to Remove Same Upon Notice.—The tree known as the "Ailantus," or Tree of Heaven, is hereby declared by said General Council to be a public nuisance, and any person (after twelve hours notice by any sanitary inspector) owning any lot in the City of Atlanta, and allowing said tree known as the Ailantus or Tree of Heaven, or any sprouts therefrom, to grow thereon, shall be subject to pay a fine or not exceeding Fifty (\$50.00) Dollars, nor less than Five Dollars before the Recorder's Court, and it shall be the duty of the Department of Sanitary to immediately give notice to all persons liable under the provisions of this ordinance, and it shall be the duty of the Chairman of the Street Committee to give directions for the destruction of all such trees growing on the City property and sidewalks of said City.

Sec. 1689. No Slaughter Houses or Pens Allowed Near Water-works.—No person, firm, or corporation shall carry on the business of a slaughter house or slaughter pen, or stock yard, or stock pen, on any ground in the City of Atlanta, draining into the waterworks' reservoir, or on any of the lots of land in Blackhall District, incorporated for the purpose of enabling the City of Atlanta to preserve the purity of said water.

Sec. 1690. Nuisances to be Abated on Lots Within Six Hours—Nuisances Defined and Forbidden.—Any person creating a nuisance on his, her, or their lot, or a lot occupied by them, or allowing a nuisance to remain six hours on their lot, or a lot occupied by them, shall be immediately summoned before the Recorder's Court, and, on proof, shall be fined not exceeding One Hundred Dollars and costs. The summons to appear is all the notice that shall be required beyond the publishing of this ordinance. The following are declared nuisances: Slaughter-houses, pig-pens, kept for use within one hundred yards of any private residence within the City limits, or upon the water shed of the water-works; a dead cat, chickens, rats, or other animals; stagnant water, decayed vegetables and fruits; filthy privies, or anything causing offensive odors, that worketh hurt, inconvenience, or damage to another, are nuisances and shall be regarded as such, and subject to the above fine of not exceeding One

Hundred Dollars and costs. Any persons throwing or placing a dead rat, chicken, cat, or other animals, tainted meat, or decayed vegetables or fruits of any kind, filthy water, or excrementitious matter, in the streets or alleys, shall be guilty of causing a nuisance, and shall be brought before the Recorder's Court, and fined not exceeding One Hundred Dollars and costs.

Sec. 1691. No Guano or Acid Factory Allowed in the City.—It shall be unlawful for any person, firm or corporation to erect or operate any guano or acid factory, or to store guano in the limits of the City at a point nearer than three miles to the stone post of the old stone post in the old Union car shed, recognized as the Center of the City.

Sec. 1692. Penalty for Violation of Above Section.—Any person, firm, or corporation violating Section 1691 shall, on conviction, be punished by fine not exceeding One Hundred Dollars or imprisonment not exceeding thirty days, in the discretion of the Recorder's Court, for each day such guano or acid factory is conducted in the City.

Sec. 1693. Opium Joints—Penalty for Running Such or Frequenting Such Places.—Each and every person, who shall keep, set up, maintain, or open in this City any house, room, or place of any description for the smoking of opium, or any preparation thereof, or who shall be an inmate or frequenter of, or who shall in any way be connected with any such house or place, or shall contribute to its support, and each and every person who shall permit any such house, room, or any place in his possession, or under his control to be used or occupied for any such purpose, and each and every person, who shall permit or suffer any house, room, or place, which is to be used for such purposes, to stand, be set up or opened upon any lot or lots, parcel or parcels of ground within this City, owned, held, possessed or controlled by him, either as the owner or agent, or otherwise, shall, on conviction thereof, in the Recorder's Court, be fined not less than fifty nor more than Three Hundred (\$300.00) Dollars for each offense; and every day, for which any person or persons shall keep any house, room, or place of any description, or shall knowingly allow any such house, room, or place to be used or

occupied for the purpose aforesaid, shall be deemed and held to be a separate and distinct offense.

Sec. 1694. Additional Nuisances Declared and Defined—Waterworks Protection Against Impurity.—The following things are also declared nuisances, if existing in said City, to-wit: Filthy privies, and privies not constructed, furnished, and used with appliances now or hereafter required by ordinance for preventing the flow of urine through the earth into the water.

Sec. 1695. Penalty for Failure to Abate Above Nuisances.—Any person, whether owner, agent in control of, or tenant in possession of premises, on which any of the nuisances above declared shall exist, who shall fail to abate the same within six hours after being notified so to do, shall on conviction, be fined not exceeding one hundred dollars, or imprisoned at labor not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 1696. Smoke, Between Forsyth and Washington St., more than One Minute, by Railroads, Unlawful.—It is hereby made unlawful for any railroad, their agent or employees, to operate engines between Washington street and for a distance of 500 feet west of Forsyth Street Bridge, when said engines are emitting black smoke, for a continuous period of exceeding one minute.

Sec. 1697. Penalty—Officer and Employees Liable.—The officer under whom the engines are run, whether yard-master or yard conductor, over any railroad tracks within said district, directing and controlling any engine emitting black smoke for a period longer than one minute, as described in Section 1696 of this ordinance, shall be fined, on conviction in Recorder's Court, not exceeding \$50.00, or imprisoned on the public works for a term not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1698. Railroad Placing Watchman or Inspector to Keep Down Smoke—Not Subject.—Any railroad, or railroads, providing a watchman or other officer, whose duty it shall be to con-

trol said section and to control engines therein, and inspect engines emitting the black smoke therein, in the operation of engines, and using this method of preventing the smoke nuisance, shall not be subject to prosecution under the ordinance.

CHAPTER LXV.

OFFICERS—ORDINANCES GOVERNING.

Sec. 1699. Weekly Reports—Quarterly Reports—Contents of Reports—Penalty for Failure to Make Same.—All executive officers or agents of the incorporation are hereby required to make weekly reports to the Mayor and General Council, in writing, of all sums of money or any other property received by them, and all sums paid by them. They shall also report all charges, that may occur in connection with their offices, in favor of or against the corporation, and all officers and agents must make quarterly reports, in writing, to the Mayor and General Council, of their actings, and pay over daily all moneys or other things received by them to the Tax Collector. On failure of any officer or agent to comply with this ordinance, he shall be liable to be dealt with as for other malfeasance or malfeasance in office, and fined at the discretion of the Mayor and General Council, or be dismissed from office, or both, as to them shall seem proper.

Sec. 1700. City Employees to Live in the City.—No Department or officer of the City Government of Atlanta shall elect, appoint, or employ for service or continue in service, any person, who is not a bona fide citizen of said City of Atlanta, where the work or service is to be performed entirely or chiefly within said City, unless consent of the Mayor and General Council is first obtained.

Sec. 1701. Bonds Required of City Officers—Listed—Subject to Whose Approval.—The following bonds are required of the officers named, all to be subject to approval of the Finance Committee and Mayor, to-wit:

Bond of City Attorney	\$ 5,000.00
Bond of City Clerk	10,000.00
Bond of City Comptroller	10,000.00

Bond of City Marshal	10,000.00
Bond of City Tax Collector	75,000.00
Bond of City Treasurer	100,000.00
Bond of City Tax Receivers and Assessors, each	2,000.00
Bond of Chief of Construction	10,000.00
Bond of Recorder	5,000.00
Bond of Sexton	1,000.00
Bond of Chief Fire Department .	1,000.00
Bond of Street Imp'ment Collector	5,000.00

and all other officers handling public funds or public property shall give bonds in such sums as may be from time to time fixed by the Mayor and General Council.

Sec. 1702. Extra Help in Marshal's Office—How Paid.—The Finance Committee of the General Council of the City of Atlanta may, in the discretion of said Committee, contract with persons employed as collectors of fi. fas. for taxes due the City of Atlanta, and turned over to the Marshal for collection, on the basis of paying such collectors a percentage of the fees of such tax execution instead of the per diem pay of two dollars per day, as provided for by the ordinance, of which this is an amendment; provided, that neither the City Clerk nor the Marshal, nor any deputy of the Clerk or Marshal, shall be interested to any extent in the fees due the City on account of issuing or collecting such tax executions.

Sec. 1703. Extra Help in the Departments—When Employed—By Whom—Reported.—No extra help shall be employed in any department of the City, whose employees are under the control of the Mayor and General Council, except upon application to the Finance Committee in writing, showing the necessity of such aid. Said Finance Committee shall appoint such extra help, if considered necessary to the public service, and shall report to the next following meeting of the General Council their action, showing why such extra help is needed, the time for which said appointment is made, names of said appointees, and the expense incurred thereby; provided, however, that the Tax Committee shall control the appointment of extra help needed in the Asses-

sors' office, made in like written application, and said Committee shall likewise make like report as required of the Finance Committee to the next following meeting of the General Council.

Sec. 1704. All Printing for City to Bear Union Label.—All printing of whatever character used for or by the City of Atlanta shall bear the Allied Printing Trades Council Union Label, of Atlanta, Georgia, as registered with the Secretary of State.

Sec. 1705. Bidders for Printing Shall Be Advised of Above Requirement.—Each and every City official, when advertising for bids for printed matter, shall specifically state in said advertisement, and shall notify bidders that all bids shall be made in accordance with this ordinance.

Sec. 1706. Position of City Janitor Created—By Whom Selected—Subject to Whose Direction—Duties.—The position of City Janitor is hereby created. Said Janitor shall be selected by the Committee on Public Buildings and Grounds and the Mayor, and shall hold his office at their pleasure, subject to be discharged whenever so ordered by this joint power, and shall perform such duties as they may direct.

Sec. 1707. Officers Not to Stand Security for Anyone—Penalty for Violation.—No officer of said City who handles or controls any of the funds of said City, shall, during his term or continuance in office, become surety, guarantor or endorser on any bond, note, or other obligation, for any person, or persons, or company, or corporation. Any officer of said City violating this ordinance shall be subject to removal or suspension, in the discretion of the General Council of said City.

Sec. 1708. Loans to City Employees by Officers, Etc. Prohibited—Later Modified—City Officers' Loans to Employees Regulated—Usury Strictly Forbidden in Loans to Employees.—It shall be unlawful for any officer or employee serving in any of the departments of the City of Atlanta to loan money to the hands or employees of such department, or the hands or em-

ployees of any other department, or to charge for obtaining credit for any such hand or employee, except that loans may be made in cases of emergency requiring the same; when such accommodations are made in emergencies, if not made voluntarily, without charge, they shall be made for only such charge or interest as may be reasonable, the time and amount advanced considered. It shall be unlawful for any officer, serving in any of the departments of the City of Atlanta, to lend money to the hands and employees of the department, under which said officer serves, at other than the legal rate of interest, and it shall be unlawful for the officer, whose duty it is to pay off said hands, to deduct the amount so loaned from the pay of said hands. Any and all such accommodations or advances made, together with interest or charge for the same, shall be reported by the officer or person in charge, making the same to the head of the department, or, if made by the head of the department, shall be reported to the Chairman of the proper Committee of the General Council; such reports to be made monthly, and all such reports to be filed with the Mayor; and the Chairman of each department and the Mayor shall be charged with the duty of seeing that the spirit of this ordinance is complied with, and that no business or practice shall be carried on of making loans by officers or employees to other employees of the City, but that only accommodation loans in emergencies and for proper charge and interest shall be made or allowed; but in no event shall any charge for obtaining credit be made or allowed.

Sec. 1709. Penalty for Violation.—Any officer or employee of the City Government violating the foregoing section, shall, on conviction thereof, be punished by a fine of not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both in the discretion of the Recorder's Court, and shall also be dismissed from the service of the City.

Sec. 1710. Fidelity Insurance Companies May Become Sureties on Official Bonds of City Officers and Others—Under what Circumstances.—(See next section as to bonds of contractors).—Any company, with a paid-up capital of not less than two hundred and fifty thousand (\$250,000.00) dollars, incorporated and organized under the laws of Georgia, or any other State of the

United States, or any foreign State, for the sole purpose of transacting business of fidelity insurance, as surety on or guarantor of bonds of persons or corporations, and which shall have complied with all requirements of law for license to, and the transaction of business by such companies in Georgia, may, upon proper proof thereof and upon production of evidence of solvency and credit satisfactory to the Mayor, Judge, Committee of Council, head of department, or other officer or officers in and of said City of Atlanta, authorized to approve and accept bonds, be accepted as surety on, or guarantor of any bond or bonds of any person or corporation now or that may be required by any law, ordinance, or other regulation in or of said City, to execute a bond in lieu of any surety or sureties, security or securities as now required by any law, ordinance or regulation aforesaid. And such company may be released from its liability on the same terms and conditions as are by law prescribed for the release of individuals, it being the true intent and meaning of this ordinance to enable corporations created for that purpose to become the surety on or guarantor of any and all bonds required by the laws, ordinances, or regulations of said City of Atlanta, subject to all the liabilities and rights of private persons in respect of any one of such bonds.

Sec. 1711. Bonds for Contracts Signed by Securities Only, who Own Real Estate in Georgia—Bonds of Surety Companies Accepted, However.—All bonds for the performance of contracts shall be signed only by persons owning real estate in Georgia; except that fidelity and security companies, of approved and undoubted solvency (to be determined by the officer or other party taking or approving the bond) may be taken as surety, and the sole surety upon all bonds, official or otherwise, that under the charter or ordinances of the City of Atlanta, or under the general laws, are required to be given either to the City of Atlanta or to the Mayor and General Council of the City of Atlanta, or to the Mayor of said City, or to any officer or departments of said City, or to any officer or head of said departments of said City.

Sec. 1712. Mayor, Aldermen, or Councilmen not to be Surety on any Bond Given to the City—Dismissal from Office for Vio-

lation.—No member of the General Council, Mayor, Alderman, or Councilman, from and after this date, shall become a surety on the bond of any City official, or contractor for City work. A violation of this section shall subject the City official to dismissal from office, or a new bond shall be made without any Councilman or Alderman as surety thereon.

Sec. 1713. City's Officers Cannot Defend Violators of City's Ordinances.—The Mayor, members of the General Council, Recorder, City Attorney, his Assistant, and members of the Police Commissioners, are prohibited from defending or aiding in the defense of persons charged in the Recorder's Court with the violation of the ordinances of the City.

Sec. 1714. City Officers Shall Not, as Counsel, Represent Suits Against the City.—It shall not be lawful for any person holding a position or office under the City Government of Atlanta, to whom a salary or compensation is paid by said City, to institute or bring as attorney any suit or legal proceedings against said City. Nor shall any such person hereafter, during his continuance in any such position or office become employed as attorney any suit or legal proceedings against said City. Nor shall any such person hereafter, during his continuance in any such position or office, become employed as attorney or counsel in any matter or cause adversely to said City.

Sec. 1715. Collections Turned Over Daily to Tax Collector—Report to Comptroller—Penalty for Violation.—It shall be the duty of all officers connected with the City government, whether appointees of any Board or otherwise, to pay over to the Tax Collector the same day, on which it is collected, all money, which they collect for the City. And each individual sum of money shall be collected and reported to the Comptroller in conformity with the coupon system. Any person violating this section may be punished by dismissal from office in the discretion of the Mayor and General Council.

Sec. 1716. Department Heads to Inventory Stock Feed Each Month—Keep Record of Amount Received—Number of Head of Stock Fed, Etc.—All City departments, using mules, or horses,

or both mules and horses, shall be required to inventory the amount of stock feed on hand at the end of each month, and to keep an account of the amount of each kind of feed received during the month, and to measure or weigh and carefully inspect both the quantity and quality of such feed, and report on blanks furnished by the City for such purpose. The report shall contain also the number of head of stock fed by each Department during the month, so as to show the actual cost per head of feeding them.

Sec. 1717. Additional Data to be Incorporated in Officers' Annual Reports.—All officers and departments now required to file with this Council an annual report of their receipts and disbursement shall hereafter incorporate therein a full and complete statement of outstanding indebtedness, of all contracts not completed and satisfied, and such other similar information as will exhibit to the General Council the true financial condition of such office or department at the end of each current year.

Sec. 1718. Vouchers Not Approved Until Passed upon By Board—Exceptions—Expenditures Must Be Necessary.—The executive head of the above mentioned board shall not append their signatures of approval to any such voucher until same shall have been passed upon and authorized by said Boards in regular form and in such meetings provided for in preceding sections of this ordinance, except the regular weekly, monthly, and bi-monthly payrolls and freight bills, and other strictly cash items previously authorized by said Boards, where the expenditure is known by the Chairman and officer making the approval to be correct, and is necessary so to do, the same may be approved and paid under the emergency without waiting for the Board itself to meet; but such expenditure must be in due course reported to such Board at its next monthly meeting.

Sec. 1719. Office Hours—Saturday Closing—When—Exceptions.—The hours of keeping the City offices open for the public shall be from eight o'clock A. M. to five o'clock P. M. each day, except on the last day of paying quarterly licenses, general taxes and of returning property for taxation when the offices of the Clerk, Tax Assessors and Tax Collector shall be kept open until

six o'clock P. M.; provided that nothing herein contained shall be so construed as to relieve City officials and employees from the duty of remaining in their respective offices until the current office work for the day shall have been completed. The City offices shall be closed on Saturdays at twelve o'clock noon, provided, however, that the City offices do not close at twelve o'clock noon on any Saturday, which is the last day for payment of taxes, licenses, or water bills.

Sec. 1720. Office-Holding Regulated—Dual Offices Prohibited.

—It shall be unlawful for any person holding a position of emolument, appointed by the President of the United States, or by the Governor of the State of Georgia, or election by the people, to occupy or hold the position of Mayor, Aldermen, or Councilman of the City of Atlanta, or any other office of emolument in said City Government, whether said office be by election or appointment, during the time he holds said Federal, State or County office.

Sec. 1721. Acceptance of Such Office Creates Vacancy in City Office.—The acceptance by the Mayor, or any member of said General Council, or any other officer of said City Government, of any position of trust, honor, or emolument, in the Federal, State, or County Governments, shall immediately create a vacancy in the office he holds in said City Government, whether held by election or appointment, which vacancy shall be filled as provided by law.

Sec. 1722. Cannot Hold Two City Offices at one Time—Cannot Serve on More Than One Board.—Neither the Mayor, Aldermen, nor Councilmen, nor any other officer of said City, who by virtue of an election by the people, or appointment by the Mayor, or Mayor and General Council, or General Council, or by its authority, holds said office, shall be eligible to hold any other office of trust, honor, or emolument in said City government, nor shall they, or any other person, be eligible to membership on more than one of the boards of said City at the same time, nor shall any member of the General Council be a member of any Board under said City government otherwise than as provided for in the charter of said City.

Sec. 1723. Acceptance of a Second Office Forfeits First.—Any person holding any position in the City Government of Atlanta, either by election or appointment, who shall accept any other position in said City Government, which is filled by election or appointment, shall forfeit the office he holds at the time of acceptance of said other office, the true intent and meaning of this ordinance being to prohibit any person from holding more than one office at the same time under said City Government, or holding any office under the United States, State, County, or City Governments.

Sec. 1724. Exceptions Made to Cover Exceptions in Charter.—The provisions of this ordinance shall not apply to cases provided for in the Charter of said City.

Sec. 1725. Exceptions as to Office Held When Ordinance was Passed.—This ordinance shall not affect the title of any member of the Council now holding office as to any other office or position on any of the Boards now held by him, nor that of any member of any of the Boards now in office.

Sec. 1726. City Officers and Employees Not to be Paid for Attendance as Witnesses.—It shall not be lawful for the officers of the City of Atlanta, charged with the duties of auditing and paying bills or accounts against the City, to audit, allow, or pay any bill or claim for witness fees in favor of any officer of the City of Atlanta, or any department of the City Government, or any employee of the City Government, or any department thereof, in any case, to which the City of Atlanta is a party, plaintiff or defendant, and when the officer or employee serving as witness is already paid a salary or per diem wages equal to or greater than the witness fees allowed by law, and where such officer or employee has not lost time or been docked in his regular pay for the loss of time, which would otherwise have been paid for, by reason of his attendance at Court as a witness for or against the City in any such case.

Sec. 1727. Penalty for Violation of Above Section—Except When Done in Obedience to Order of Court.—Any auditing or

accounting officer, or any officer of the City Government charged with the duty of paying bills or claims against the City, who shall violate the provisions of the foregoing section, shall be subject, on conviction thereof before the Recorder's Court, to punishment by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both of said punishments in the discretion of the Court; provided that it shall be lawful for any such auditing or paying officer of the City Government to audit or pay any such bill or claim in any case in obedience to an order of the Court having jurisdiction thereof, and in such case no penalty shall follow obedience to the order of the Court.

CHAPTER LXVI.

PARKS—PARK COMMISSION—SECRETARY—GENERAL MANAGER.

Sec. 1728. Board—When Elected—One from Each Ward.—The Board of Park Commissioners is hereby created to consist of ten members as follows: The Mayor and Chairman of Committee on Parks to be ex-officio members thereof, during their respective terms of office, and the other members to be elected by the Mayor and General Council at the second regular meeting in December, 1908, no ward to have more than one representative on the Board at the same time, with the exception of the ex-officio members as aforesaid, and said Board shall have control, management and authority over L. P. Grant Park and the other Parks of the City.

Sec. 1729. Terms.—The members elected from the first, fourth, second and sixth wards shall serve for a term of two years; the members appointed from the third, fifth, seventh, eighth and ninth wards shall serve for a term of three years, and at the expiration of the term herein provided their successors shall be appointed for a term of three years each. Their terms of office shall begin immediately on their qualifying, thereafter as the terms of the several members of said Commissioners shall expire, their successors shall be elected at the first meeting of the General Council in January, and when so appointed each term shall be for a period of three years.

Sec. 1730. Authority—Secretary—General Manager—Salary.—The said Board as thus constituted shall have charge of all the Parks of the City and exercise all the powers heretofore granted to Park Commissioners subject to ordinances of the Mayor and General Council, and they shall have full power to elect a Secretary and General Manager to be filled by one and the same person, to keep the books of the Board of Commission and to have special supervision over all Parks of the City, and have practi-

cal knowledge and thorough familiarity of the work necessary to be done in the construction and maintenance of parks; and such Secretary-General Manager shall perform such other duties as directed by said Board of Commissioners, and said Commission are authorized to employ such Secretary-General Manager at a salary not to exceed \$1,800.00 per annum.

Sec. 1732. Term Fixed for General Manager—Not Hold without.—The officer occupying the position of General Manager, in the Department of Parks, or under the Park Commission, shall not serve nor be elected during good behavior, on and after the first Monday in January, 1911. On said date, the Park Commission shall hold an election to fill the position of General Manager of Parks and the officer then elected shall serve for a term of two years, and on the first day of January, bi-annually thereafter, an election shall be held by said Commission to fill this position and the term of General Manager, in said Department, is hereby fixed at and for the term of two years, the first term to begin on the first Monday in January, 1911.

Sec. 1733. Booths—Stands, Etc.—Licenses, How Obtained—Law in Force.—All laws and ordinances in force in the City of Atlanta, in relation to the erection of booths, stands, etc., for the sale of articles of any nature, and the manner of obtaining license therefor and the fees to be paid, shall apply to said park; provided that no license to sell or retail spirituous or malt liquors therein shall be granted upon any terms.

Sec. 1734. Peace and Order Ordinances Apply in Parks.—All laws and ordinances in force in the City of Atlanta for the promotion of the peace, good order, and morals thereof, whenever applicable, are hereby extended to and embrace the territory included in said park and in Piedmont Park, and any person violating said ordinances shall be subject to the penalties provided in the City Code.

Sec. 1735. Protection of Animals in Grant Park—Penalty for Abuse.—It shall be unlawful for any person to throw rocks at any of the animals in the L. P. Grant Park, or to punch any of such animals with sticks, or to otherwise unnecessarily provoke

or annoy any of such animals. The violation of this section shall be punished by a fine of not less than five nor more than twenty-five dollars against any person convicted of such violation in the Recorder's Court.

Sec. 1736. No Hunting, Fishing, Swimming or Bathing in the Park.—Any person, who shall hunt with dogs or firearms of any kind, shoot, fish, swim, or bathe in said park, shall be fined not exceeding fifty dollars, or imprisoned not longer than thirty days.

Sec. 1737. Breaking Flowers, Foliage, or General Depredation Unlawful—Penalty.—Any person or persons picking or breaking the flowers or foliage, without permission of the Commissioners; or who shall cut, work, or deface any of the trees, signs, or public notices, buildings, or other property; or who shall throw stones, sticks, or other missiles; or who shall interfere with or chase rabbits, squirrels, or birds, rob or destroy their nests; or who shall stand, walk, or ride on the grass, post bills or notices in said park, shall, on conviction thereof before the Recorder's Court of said City, be fined not exceeding fifty dollars, or be imprisoned not longer than thirty days.

Sec. 1738. Persistent Violation of the Rules—Penalty.—Any person or persons, who shall persist in the violation of any of the rules and regulations prescribed by the Park Commission for the government of said park, after notice to desist from so doing, shall, on conviction thereof before the Recorder's Court of said City, be fined in a sum not exceeding ten dollars, or be imprisoned not longer than ten days.

Sec. 1739. Penal Laws of the State or City—Violations Prosecuted.—Should any person or persons, in violating any of the foregoing sections, or doing any other act, be guilty of any offense under the Penal Code of this State or City, it shall be the duty of the officer in charge to arrest him or them, and vigorously prosecute such offenses in the State Courts.

Sec. 1740. Springvale Park Accepted.—The gift of five acres of land more or less in Inman Park, known as Springvale Park,

is hereby accepted, subject to the terms and conditions in said deed of gift set forth, the same being dated the —— day of February, 1893.

Sec. 1741. Parkway Defined Between Peachtree and West Peachtree Streets on North Avenue.—A space of sixteen feet wide in the center of North Avenue between Peachtree and West Peachtree Streets, except a crossway 15 feet wide midway between Peachtree and West Peachtree streets is hereby set apart and dedicated as a parkway or place. The particular location of such parkway or place, and the excepted crossway, being indicated by plat hereto attached, and the parkway in said street shall be excluded from the traveled roadway of said street, and shall not be paved.

Sec. 1742. Park Commission to Control All Parks and Certain Monuments.—The Park Commission of said City shall hereafter have jurisdiction, supervision, and control of all property, that has heretofore been or may hereafter be set aside by the City for park purposes, and shall have the same jurisdiction and control of the Grady Monument on Marietta Street, and the Erskine Memorial Fountain at the intersection of Peachtree and West Peachtree Streets.

Sec. 1743. Necessity Met—Lecturer's Office Re-Established.—The office of Lecturer at the Cyclorama at Grant Park is hereby established, same to have a term of one year, and to have a salary attached of \$50.00 per month, to be paid from special apportionment in Department of Parks. The lecturer shall be elected at the first meeting of the Park Board in July, 1903, or so soon thereafter as this ordinance may be put into operation, and, when so elected, shall serve until the first meeting of said Board in the month of July, 1904, or until his successor shall be elected.

Sec. 1744. Duties of Cyclorama Lecturer.—His duties shall be to lecture at the Cyclorama, in Grant Park, daily, including Sundays, to explain the picture to visitors; look after its care, and report needs to Board of Park Commissioners; to be attentive to visitors, and seek to make the picture an attraction, and to

please all visiting same, and to perform such other duties in connection with the Cyclorama as said Park Board may direct.

Sec. 1745. Ordinance Restricting Use of Drives and Avenues.—The drives and avenues in L. P. Grant Park shall only be open to the use of pedestrians, horseback and bicycle riders, and the occupants of vehicles in use for pleasure drives.

Sec. 1746. Forbidding Certain Vehicles to Use Drives and Avenues in Grant Park.—No drays, wagons or vehicles engaged in hauling for traffic or commerce shall use said drives or avenues except in the delivery of building materials or other supplies necessary for the maintenance of said Park, or for the use of its Superintendent, employees, or persons conducting business within the limits of the Park with the permission of the L. P. Grant Park Commission.

Sec. 1747. Penalty for Violation.—Any person violating this ordinance shall, on conviction in the Recorder's Court of the City of Atlanta, be punished as prescribed elsewhere in this Code (for violation of ordinances where no particular penalty attaches, Court may impose penalty in its discretion).

Sec. 1748. Park Commission Have Control of Shade Trees in City—Protect Same—Prosecute Offenders.—The Park Commissioners of the City shall have under their control the shade trees in the public streets of the City of Atlanta. They shall cause all statutes and ordinances made for the protection of said trees to be strictly enforced, and shall institute legal proceedings against all persons, firms or corporations violating such statutes and ordinances.

Sec. 1749. Permission from Park Commissioners Necessary to Trim or Cut Trees for Stringing Wires.—No person, firm, or corporation shall cut or trim any shade tree growing on the public steets for the purpose of stringing wires thereon, or any similar purpose, without the permission of said Park Commissioners.

Sec. 1750. Penalty for Violation.—Any person, firm or corporation, violating this ordinance, shall be punished by a fine not

exceeding (\$100.00) one hundred dollars, or imprisonment not exceeding thirty (30) days upon conviction in the Recorder's Court of the City of Atlanta.

Sec. 1751. Setting Apart Park Near Davis Street School.—The following section of land owned by the City, to-wit: All that parcel of land in First Ward of said City, and being a portion of lot surrounding Davis Street School, and particularly described as beginning at Northwest corner of Davis Street and Spencer Street, and thence running Northerly along West side of Davis Street (197) one hundred and ninety-seven feet, thence West 399.5 feet, thence North 163.5 feet to Thurmond Street, thence West along South side of Thurmond Street 150 feet to Lowe Street, thence South along East side of Lowe Street 366.5 feet to Spencer Street, thence East along North side of Spencer Street 548 feet to beginning point; said tract of land is marked out and defined on plat hereto annexed, all of which portion of land is hereby set apart, and dedicated for park purposes, and to be maintained as a park for the use and benefit of the public.

Sec. 1752. Park Commissioners Take Control of Park Near Davis Street School.—The control and management of said Park is placed in the hands of the Park Commissioners, and said new park is made subject to all the ordinances governing parks and public places in the City, and especially the provisions of this charter of the present City Code, as far as are applicable.

Sec. 1753. Said Park to be Properly Graded and Put in Condition for Adorning and Beautifying by Park Commissioners.—The Commissioner of Public Works shall grade said property, and place it in proper condition for the Park Commissioners to beautify, adorn, and render suitable for park purposes, and the sum of \$600.00 is hereby appropriated for that improvement, and this sum shall be taken from the department of contingent.

Sec. 1754. Disorderly Crowds of Loafers Excluded from this Park—Penalty.—It shall be unlawful for crowds or loafers to gather in said park in such numbers, or for any person or persons to use said park for purpose of, making disorderly noises or interfering with the pupils, during the hours of the day, while

school is being held in the Davis Street School building, and any one violating this ordinance shall be tried in the Recorder's Court, and, if found guilty, shall be fined not exceeding \$100.00, or imprisoned not exceeding thirty days.

Sec. 1755. "Dumping Grounds" to Be Made into a Park.—As soon as the stables at "Dumping Ground" are removed, all of said land, formerly used as a dumping ground, and for the stables aforesaid, shall be taken from the possession of the Sanitary Department, and be placed in the possession and control of the Board of Park Commissioners, who shall at once beautify and adorn same as a public park from such funds as they may now have on hand for park purposes.

Sec. 1756. Flying Jennies—Roller Coasters, Etc.—Prohibited in Grant Park—Refreshment Stand Allowed.—Merry-go-rounds, flying jennies, roller coasters, slot machines, moving pictures, and similar devices and attractions, are hereby prohibited in Grant Park. The privilege or concession of maintaining a stand therein shall not include the privilege or right to have and maintain any of the above described devices or attractions, or any other device or attraction similar thereto.

Sec. 1757. One Central Refreshment Stand Only to be Maintained.—The privilege or right granted to maintain a refreshment stand, and boating privileges in said Park, shall be limited to the sale of refreshments from one fixed stand or place, and boating in the lake, and shall not include or permit the sale of merchandise or articles not intended for refreshment, or for the maintenance of slot machines or the devices hereinbefore described.

Sec. 1758. Bottles and Glass Not to be Thrown upon any Public Park or Baseball Park.—It shall be unlawful for any person to throw any bottles or other glass upon any portion of any public park, baseball park, or other places.

Sec. 1759. Penalty for Violation.—Any person violating the foregoing provisions shall, upon conviction before the Recorder

pay a fine not exceeding \$25.00 for each offense, or be committed to the Stockade, or serve upon the Public Works not exceeding 15 days, either or both in the discretion of the Recorder.

Sec. 1760. Memorials—Monuments—Fountains, Etc.—Public Character—Protected—Park Commissioners Have Charge of.—All monuments, memorials and fountains erected by the City or by any public-spirited citizen or bodies, in commemoration of the dead or as a memorial of public service or fountain erected by or at the instance of the City or any public spirited citizen for the benefit of man or beast or as a testimony of regard for the City, or any slab, bronze tablet, stone structure or other permanent method of memorizing the dead or a public service or benefit, or for the service of the public or similar memorial shall be cared for and preserved from abuse, injury, defacement or other damage by man or animals and all of such memorials or monuments are hereby placed in charge of the Board of Park Commissioners and it is made their duty to have constant inspection made of them and to take such means as may be necessary to secure same from injury, defacement or destruction.

Sec. 1761. Defacement—Injury—Penalty.—Any person defacing, injuring, removing, in whole or in part, or in anywise damaging any of the structures mentioned in preceding section, shall be deemed guilty of an offense, and on conviction in the Recorder's Court shall be punished by a fine of not exceeding one hundred dollars or imprisoned on the streets of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER LXVII.

PEACE—GOOD ORDER AND MORALS—ORDINANCES
TO PROMOTE SAME.

Sec. 1762. Public Indecency—Disorderly Conduct—How Punished—Penalty.—Any person, who shall, within the corporate limits of Atlanta, be guilty of an act of public indecency, tending to debauch the morals of any of the citizens, or of quarreling, or of using obscene, vulgar, profane language, or malicious mischief, or otherwise act in a disorderly manner (which offense is not recognized as penal by the laws of this State) shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned in the stationhouse not more than thirty days, in the discretion of the Recorder's Court.

Sec. 1763. Indecent Dress or Naked—Indecent Exposure of Person—Scattering Obscene Literature—Lewd Dances—All Unlawful—Penalty.—Any person, who shall, in the City of Atlanta, appear in any public place naked, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall exhibit or sell or offer for sale, any obscene, vulgar, or licentious book, picture or painting of any character whatever, or who shall exhibit or perform in any hall, house, or public place in said City, any indecent, immoral, or lewd play or dance, or who shall sing to a public audience any sacrilegious, indecent, vulgar or lewd song, shall, upon conviction, be fined in a sum of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or required to work not exceeding thirty days on the streets of said City, in the discretion of the Recorder's Court. It shall be the duty of the police and officers of the City to arrest every person violating this section in their presence, or on complaint of any citizen of a violation of this ordinance by any person or persons.

Sec. 1764. Noise at Night—Disturbing the Peace—Arrest—Penalty.—Any person, who shall make any noise at night calculated to disturb the public peace, or to annoy any of the citizens, shall (if done in the presence of the Chief of Police) be arrested by him, and carried before the Mayor's Court for trial, and, if not done in the presence of said Chief of Police, then upon complaint made, he or she shall be proceeded against as in other cases of a violation of this provision and be fined not exceeding one hundred dollars and costs, or be imprisoned in the station-house of said county not more than thirty days in the discretion of the Court.

Sec. 1765. Drunkenness on Streets—Disorderly Noises—Penalty.—Any person, who shall be found drunk, hooting, hallooing, or making any other unnecessary or unusual noise, to the disturbance of any citizen, may be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Sec. 1766. Drunkenness—Penalty—Relieved of Penalty by Informing as to who Unlawfully Furnished the Liquor Causing the Drunkenness.—It shall be unlawful for any person to be and appear on the streets of said City in an intoxicated condition; and any person so offending shall, on conviction thereof before the Recorder of said City, pay a fine of not exceeding one hundred dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Court; provided, that any per-

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Section 1768 should read as follows—

Sec. 1768. Dives Defined.—Any person, who shall keep a place, where liquors, either alcoholic, malt or vinous, are kept and sold, and where men and women come and drink, either in the room where such liquors are kept and sold, or in a restaurant or other place connected therewith, or in a place not connected with such place, where the liquors are kept or sold, where men and women drink, and there is connected with any such place any immoral conduct, or it is a place where men or women loiter and idle, who are without means of support, or, who being without such means of support, loiter and idle away their time, and do not work, such place shall be known as a "dive."

CHAPTER LXVII.

PEACE—GOOD ORDER AND MORALS—ORDINANCES
TO PROMOTE SAME.

Sec. 1762. Public Indecency—Disorderly Conduct—How Punished—Penalty.—Any person, who shall, within the corporate limits of Atlanta, be guilty of an act of public indecency, tending to debauch the morals of any of the citizens, or of quarreling, or of using obscene, vulgar, profane language, or malicious mischief, or otherwise act in a disorderly manner (which offense is not recognized as penal by the laws of this State) shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned in the stationhouse not more than thirty days, in the discretion of the Recorder's Court.

Sec. 1763. Indecent Dress or Naked—Indecent Exposure of Person—Scattering Obscene Literature—Lewd Dances—All Unlawful—Penalty.—Any person, who shall, in the City of Atlanta, appear in any public place naked, or in an indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall ex-

Sec. 1764. Noise at Night—Disturbing the Peace—Arrest—Penalty.—Any person, who shall make any noise at night calculated to disturb the public peace, or to annoy any of the citizens, shall (if done in the presence of the Chief of Police) be arrested by him, and carried before the Mayor's Court for trial, and, if not done in the presence of said Chief of Police, then upon complaint made, he or she shall be proceeded against as in other cases of a violation of this provision and be fined not exceeding one hundred dollars and costs, or be imprisoned in the station-house of said county not more than thirty days in the discretion of the Court.

Sec. 1765. Drunkenness on Streets—Disorderly Noises—Penalty.—Any person, who shall be found drunk, hooting, hallooing, or making any other unnecessary or unusual noise, to the disturbance of any citizen, may be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Sec. 1766. Drunkenness—Penalty—Relieved of Penalty by Informing as to who Unlawfully Furnished the Liquor Causing the Drunkenness.—It shall be unlawful for any person to be and appear on the streets of said City in an intoxicated condition: and any person so offending shall, on conviction thereof before the Recorder of said City, pay a fine of not exceeding one hundred dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Court; provided, that any person so convicted of such offense may relieve himself or herself from the penalty thus incurred and imposed by forthwith giving information and evidence, which will lead to the conviction of the person or persons unlawfully furnishing him or her with the liquors, by which he or she became thus intoxicated.

Sec. 1767. Court Shall Inform the Prisoner of this Method of Relief.—It shall be the duty of the Court convicting the offender under the provisions of the foregoing section of this ordinance to inform the Defendant of the manner therein provided for relieving himself or herself from the penalty to said offense.

Sec. 1768. Dives Defined.—Any person, who shall keep a police or sanitary purposes and any person violating such or-

dinances, within said territory, shall, on conviction in Recorder's place, where liquors, either alcoholic, malt or vinous, are kept and sold, and where men and women come and drink, either in the room where such liquors are kept and sold, or in a restaurant or other place connected therewith, or in a place not connected with such place, where the liquors are kept or sold, where men and women drink, and there is connected with any such place any immoral conduct; or it is a place where men or women loiter and idle, who are without means of support, or, who being without such means of support, loiter and idle away their time, and do not work, such place shall be known as a "dive."

Sec. 1769. Penalty for Keeping a Dive—or Frequenting Same.—Any person keeping such a place, or any person going to such a place for the purpose of drinking there, or, if not to drink, to loiter and idle their time, shall, upon conviction be punished by the Recorder of the City of Atlanta by a fine of not exceeding \$100.00, or imprisonment on the public works not to exceed thirty days, either or both in the discretion of the Recorder.

Sec. 1770. Lewd Women not Allowed in Public Places at Night.—It shall be unlawful for any prostitute or woman of notoriously lewd character to walk the streets, alleys, or other public thoroughfares of the City of Atlanta, or ride around the same during the night season.

Sec. 1771. Men Shall Not Talk Familiarly with Lewd Women on Streets.—And it shall be unlawful for any male person to talk in a familiar manner to any such woman or women, or be in company with any such woman or women, knowing the same to be such, upon the streets, alleys, or thoroughfares of said City.

Sec. 1772. Penalty for Violation.—Any person or persons violating the above provisions shall, on conviction in Recorder's Court in said City, be punished by a fine not to exceed one hundred dollars, or imprisoned not to exceed thirty days.

Sec. 1773. Alabama Slings or Flips not to be Kept or Carried.—It shall be unlawful for any person in this City to have, carry,

or use on the streets in said City what is commonly known as the "Alabama slings or flips."

Sec. 1774. Penalty for Violation.—Any person so offering, on conviction thereof in the Recorder's Court, shall be punished by a fine not exceeding one hundred dollars, or imprisoned not less than thirty days, one or both, in the discretion of the Court.

Sec. 1775. Keeping Open Doors After Hours Unlawful—Penalty.—(State law, however, governs as prohibition is effective throughout the State.) Any retailer of spirituous or fermented liquors, who shall keep open doors after the hour of ten o'clock at night, and before five o'clock in the morning, within the City of Atlanta, for the purpose of vending spirituous liquors, or other intoxicating drinks, shall, upon conviction, be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned in the calaboose or common jail of said county not more than thirty days, in the discretion of the Recorder's Court, and forfeit his license as a retailer.

Sec. 1776. Keeping Open Stores, Etc. on the Sabbath—Unlawful—Penalty.—Any merchant, billiard-table, or ten-pin alley keeper, or other dealer who shall keep open doors on the Sabbath day, or trade or traffic on that day; and any person, who shall do work, or in anywise labor, or cause work to be done on the Sabbath-day (except it be work of necessity) shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned in the stationhouse not more than thirty days, in the discretion of the Court; provided that the Mayor and General Council may not punish for violating the State laws as on the Sabbath day.

Sec. 1777. Milk—Bread—Ice Cream—Soft Drinks—Cigars. Etc.—May be Sold on Sabbath.—It shall be permissible in said City to keep open for selling and delivering milk, bread at restaurants and milk stands, ice, ice cream at soda fountains and restaurants, soda and mineral waters, newspapers, and also cigars, cigarettes, tobacco, pipes and other tobacco dealers' supplies at retail on the Sabbath day, and for doing such other work of necessity or charity as is permitted by the general laws of this

State; but nothing in this ordinance contained shall be construed to authorize any bar-room, beer saloon, or other dealer or trader to keep open or conduct a general business on the Sabbath day; and the privileges of this ordinance shall be confined exclusively to those who deal only in the articles above-mentioned or referred to, or by those who are entitled by law to keep open on the Sabbath day.

Sec. 1778. Carts and Wagons Selling Ice Cream, Sherbet, etc., Prohibited on the Sabbath.—It shall be unlawful for any person to operate a push-cart, or wagon, or carry around in any way, any box, can, or other receptacle containing ice cream, sherbert or similar articles of sale, for the purpose of vending same, or offering same for sale, on the Sabbath, and any person violating the provisions of this section shall, on conviction in the Recorder's Court, be punished by a fine not exceeding \$200.00, or by imprisonment not exceeding thirty days, either or both penalties, to be inflicted in the discretion of the Recorder.

Sec. 1779. Restrictions of Sales by Tobacco Stands, Etc.—Those who shall sell canes, umbrellas and novelties, in connection with cigars, cigarettes, tobacco, pipes and other tobacco dealers' supplies during the week days, shall not be debarred from keeping open on the Sabbath day, for the sale of said cigars, tobacco, cigarettes, pipes, and other tobacco dealers' supplies; provided that they do not sell such canes, umbrellas, and novelties on the Sabbath day.

Sec. 1780. Perishable Meats and Vegetables—May be Delivered on Sunday to Hotels and Restaurants.—It shall not be unlawful to deliver to hotels and restaurants on Sundays, perishable meats, vegetables, fruits, fish and oysters, within the limits of the City of Atlanta.

Sec. 1781. Misrepresenting Fire Sales—Wreck Sales—Penalty for Faking Such.—Any person, firm, or agent, advertising by newspapers, posters, or otherwise, or representing that they are operating, offering or maintaining "fire sales," "wreck sales," and similar businesses, whereby the public are led to believe that they are being offered merchandise at reduced rates on ac-

count of "fires," "wrecks," etc., when in fact said sales are not bona fide, but are fakes and frauds, and the advertisements and representations are untrue and false, shall be held to be guilty of disorderly conduct, and a breach of morals, and shall on conviction in the Recorder's Court be fined not more than \$200.00, or imprisoned not more than thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1782. Loitering or Sleeping in Stairways—or in Streets or Alleys—or in Boxes or Hogsheads—Prohibited and Punished.—It shall not be lawful for any person or persons in said City to loiter or sleep on or at the foot of the stairway of any building in said City, or to loiter or to sleep in or on boxes or hogsheads, or other things in streets or sidewalks or alleys or on public grounds, or on the private premises or grounds of another without the consent of the person in control of any such premises or grounds, or to habitually loaf around the hotels and public places of the City.

Sec. 1783. Parents or Guardians Must Not Allow Minors in Their Charge to Become Loiterers.—It shall be unlawful for any parent, guardian or any person or persons within the corporate limits of the City of Atlanta, having the custody or control of any minor, male or female, to permit, allow or encourage such minors to become a common loiterer on any street, alley, or any other public place.

Sec. 1784. No Proprietor of a Public Place to Allow Minors to Loiter Around.—It shall be unlawful for any proprietor, manager, or any other person having charge or control of any public place, or any other place, to permit, allow, or encourage any minor, male or female, to become a common loiterer in or around such places to the encouragement of indolent or evil habits.

Sec. 1785. Penalty Imposed on Parents or Guardians Violating.—Any person, parent, or guardian violating the provisions of above section shall, on conviction before the Recorder, pay a fine of not exceeding \$100, or be imprisoned not longer than thirty days on the Public Works of the City of Atlanta, either or both in the discretion of the Recorder.

Sec. 1786. Penalty for Violation of Section 1580.—Any person violating the foregoing provisions shall, on conviction thereof, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1787. All Ordinances to Promote Peace and Good Order Extended to Cover Piedmont Park.—All laws and ordinances now in force pertaining to the maintenance of peace and good order within the corporate limits of said City, are hereby declared of force within the limits of the territory embraced in Piedmont Park.

Sec. 1788. No Females Shall Enter Bar-rooms to Drink or Loiter.—It shall be unlawful for any woman or girl to enter any bar-room or room connected with a bar-room in the City of Atlanta for the purpose of drinking or loitering therein.

Sec. 1789. Penalty for Violation.—And any woman or girl violating this ordinance, and proprietor or employee in a bar-room permitting such violation, shall be arrested, and, on conviction in the Recorder's Court, shall be punished by a fine not less than five dollars, nor exceeding one hundred dollars, or by imprisonment not exceeding thirty days, in the discretion of the Court.

Sec. 1790. Keepers of Billiard and Poolrooms or Tables not to Allow Minors to Enter or Play Without Written Consent of Parent or Guardian—Penalty.—It shall not be lawful for any person or persons having charge or control of any pool or billiard room and tables kept for hire to admit into any such room any minor, or to allow any minor to play at any such billiard or pool table, without the written consent of the parent or guardian of such minor; and any person or persons violating the provisions of this ordinance, shall, on conviction thereof, be punished by a fine of not exceeding One Hundred Dollars and costs, or imprisonment of not longer than thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1791. Nor Shall the Minor Enter or Play Without Written Consent, Etc.—Penalty.—Any minor, who shall, without the written consent of his parents or guardian, enter any room or place where billiards or pool tables are kept for hire, shall be subject to the same penalty prescribed in the section next preceding. And it shall be the duty of the Police Department to enforce strictly all of the provisions of this ordinance.

Sec. 1792. Opening and Closing Hours for Pool and Billiard Rooms.—All pool and billiard rooms and places in the City of Atlanta shall close at ten o'clock each and every night, and shall not reopen earlier than five o'clock a. m.

Sec. 1793. Penalty for Violation.—Any person violating the foregoing section shall, on conviction, be fined not exceeding One Hundred Dollars and costs, or imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1794. Shooting in City Prohibited—Permission Only When.—Any person shooting with any firearms in said City, unless it be in a licensed shooting gallery, or by permission of the Mayor and General Council, on military parades, shall be fined, on conviction, in a sum not exceeding One Hundred Dollars and costs, or be imprisoned not more than thirty days in the stationhouse or public works, in the discretion of the Recorder's Court.

Sec. 1795. Defacing Buildings—Penalty.—Any person, who shall write, paint, draw, carve, or cut any letter or letters, word, words, or device, or in any way mutilate or deface any church, public building, private house, wall, or fence, belonging to another in said City, or shall post any bills on same without the owner's consent, shall, on conviction, be fined not exceeding One Hundred Dollars and costs, or be imprisoned not more than thirty days, in the discretion of the Recorder's Court.

Sec. 1796. Cock Fighting—Unlawful—Penalty.—Any person, who shall fight chicken cocks, in the corporate limits of this

City, either with or without gaffs, and any person, who shall bet any money, or other things of value at a chicken cock fight, shall be liable, on conviction, to pay a fine of not exceeding fifty dollars and cost of trial, or be imprisoned in the stationhouse or Public Works not more than thirty days, in the discretion of the Recorder's Court.

Sec. 1797. Injuring Street Lamps—Penalty.—Any person or persons, who shall break, injure, or deface any of the street lamps, or lamp posts, or gas fixtures, belonging to the City, or the Atlanta Gas Light Company, shall, on conviction, pay a fine of not exceeding One Hundred Dollars and costs, or be imprisoned not exceeding thirty days in the stationhouse or Public Works, in the discretion of the Recorder's Court.

Sec. 1798. Gas and Gasoline Lamps Not to Be Interfered with in any Way—Penalty.—Any person or persons, who shall break, deface, or otherwise wantonly and improperly interfere with any of the gas or gasoline lamps in this City, shall, on conviction before the Recorder's Court, pay a fine not exceeding fifty dollars, or be imprisoned not exceeding thirty days.

Sec. 1799. Barbers Prohibited from Keeping Open Shops on Sabbath—Penalty.—It shall be unlawful for any barber to keep open on the Sabbath day, or to pursue his vocation in any manner on said day within the said City, and any person so offending shall, on conviction before the Recorder's Court of said City, be fined in a sum not exceeding fifty dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1800. Barber Shops Must Show on Signs Whether White or Colored are Served Therein—Except.—It shall be the duty of all persons, firms, or corporations conducting barber shops to show on their barber shop signs whether white persons only, colored persons only, or both races are served in such shops, excepting in buildings where no signs are displayed.

Sec. 1801. Penalty for Violation.—A violation of the first section of this ordinance shall be punished upon conviction in the

Recorder's Court by a fine not exceeding One Hundred (\$100.-00) Dollars, or imprisonment not exceeding thirty days in the discretion of the Court.

Sec. 1802. Sale and Delivery of Fresh Meats, Fish, Etc. on the Sabbath Day Prohibited—Penalty.—(See previous section, however, as to delivery to hotels and restaurants of perishables.) It shall be unlawful for any butcher, grocer, or dealer in fresh meats, vegetables, fish, oysters, fruits, or melons to keep open doors in said City on the Sabbath day, or send out that day to his customers any of such goods previously sold. Any violation of this ordinance shall, on conviction before the Recorder's Court, be punished with a fine not to exceed fifty dollars for each offense, or imprisonment not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1803. Owners of Houses of Ill-Fame—Penalty for Such Use Shall Abate the Nuisance Upon Notice.—Any owner, or agent of such owner, or any house or houses, who may rent, or cause to be rented, or occupy, or allow to be occupied, any house or portion of a house, to be used as a house of ill-fame, in the City of Atlanta, shall, upon conviction thereof, pay a fine or not exceeding One Hundred Dollars, and shall be imprisoned in the calaboose not exceeding thirty days, in the discretion of the Recorder's Court, and any owner, or agent of such owner, of any house or houses in said City, who shall suffer or permit any woman of ill-fame to occupy any such house or houses, within said City, for the purpose of fornication or adultery, for the space of two days after notice thereof by the Chief of Police, shall, upon conviction thereof, be subject to all the pains and penalties specified in this section.

Sec. 1804. Both Owner and Occupant Subject to Punishment—Nuisance May be Summarily Abated—How—By Whom.—Any person, being the owner or occupant of a house of ill-fame, who shall continue the same, or allow the same to be continued for two days after the same has been so adjudged by the Recorder's Court, on conviction thereof, shall be fined in a sum not exceeding One Hundred Dollars and costs, or be imprisoned

not exceeding thirty days in the calaboose, or both, in the discretion of the Court; and it shall be lawful for the Chief of Police by the order of the Recorder, Mayor, or, in his absence, the Mayor pro tem., or three members of Council, to abate such nuisance by demolishing, tearing down, or closing up such house or houses, for which he shall receive such sum as may be adjudged reasonable by the said Recorder's Court, for his services, to be paid by the owner.

Sec. 1805. Occupants of Houses of Ill-Fame—Conviction—Penalty.—Any person or persons, who shall occupy, or allow to be occupied, any house, or portion of a house, to be used as a house of ill-fame in the City of Atlanta, shall, upon conviction thereof, pay a fine not exceeding Five Hundred Dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1806. Evidence Admissible—Circumstantial or Otherwise.—Circumstances, from which it may be reasonably inferred that any house is inhabited by disorderly persons of immoral character and notoriously bad fame, shall be sufficient to establish the fact that such house is a disorderly house, or house of ill-fame.

Sec. 1807. Tenants Ejected from Houses of Ill-Fame.—When any house or houses shall be adjudged by the Recorder's Court to be a house or houses of ill-fame, and the occupant or occupants is or are not the owner or owners thereof, it shall be the duty of the Chief of Police to eject the tenant or tenants therefrom.

Sec. 1808. Disorderly Houses—Rough Houses—Penalty.—Any person or persons, who shall permit parties of disorderly character to assemble in his or their house or houses, within the corporate limits of the City of Atlanta, to the disturbance of the citizens residing in his, her, or their neighborhood, shall be guilty of keeping a disorderly house, and shall, on conviction, be fined not exceeding One Hundred Dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1809. Public Meetings—How Regulated.—The President, Chairman, or other officer, or Committee of men, or any persons, who desire or intend to call a public meeting of the citizens of Atlanta, for political purposes, shall notify the Mayor or Chief of Police, of such desire or intent, and of the time and place of meeting, before said meeting is called, and upon failure to do so, upon conviction thereof, shall be fined not exceeding fifty dollars and costs, or be imprisoned in the calaboose of the City not exceeding thirty days, in the discretion of the Recorder's Court; and upon receiving such notice, it shall be the duty of the Mayor or Chief of Police to attend such meeting with sufficient police force to preserve peace and order; provided it shall not be lawful to hold any such meeting in any of the public streets of the City of Atlanta without the consent of the Mayor and General Council, or the Mayor and Chairman of the Board of Police Commissioners of the City of Atlanta; and any person calling or holding any public meeting, in any of the streets of the City of Atlanta, without such consent, shall, upon conviction thereof in the Recorder's Court of said City, be fined in a sum not exceeding One Hundred Dollars or imprisoned not exceeding thirty days, in the discretion of the Court.

Sec. 1810. Arrest of Offenders—Confinement—Appearance—May Give Bond.—The police shall arrest and confine in the guardhouse any offender against the laws and ordinances of this City, where, in their judgment, such arrest and confinement is necessary to secure said offender's appearance before the Court to answer his or her offense, or preserve the peace of the City. In all cases where persons arrested are permitted bail, and they shall be admitted to bail in all cases of arrest except where held for murder or treason or seduction—the amount of the penalty of the bond shall be named by the Chief of Police; in his absence by the Station Sergeant. If all these officers are absent, then by the ranking officer at the police barracks. Where held on State warrants, the officer issuing same shall fix the bond.

Sec. 1811. Maximum Bond to Be Taken.—The Chief, or any officer or member of police, Mayor, or any member of the General Council, may take bond with security, or bond without

security, at discretion, payable to the City of Atlanta, in the sum of not exceeding Two Hundred Dollars, for the appearance of any party or parties accused or suspected of being guilty of a violation of any ordinance or ordinances of the City of Atlanta, to stand to and abide his, her, or their trials before the Recorder's Court; and also of Witnesses to testify in any case or cases pending, or about to be commenced in said Court.

Sec. 1812. Failure to Give Bond—Confinement.—If either party or parties, or witness or witnesses, shall fail or refuse to give the bond and security, or bond, as required of them, or either of them, such person so failing or refusing may be confined in the stationhouse, or common jail of the County of Fulton, or be kept under a guard, so as to be present to abide the trial or trials, or to testify, as the case may be.

Sec. 1813. Bonds Forfeited—Usual Procedure as in Other Court.—All bail taken under this ordinance shall be special bail, and the power of the security over the principal shall be the same as in special bail. Upon the failure to appear, of any principal, in any bond or recognizance given by a person charged with a violation of any ordinance of the City of Atlanta, or by a witness, to appear and testify, the Recorder, Mayor, or Mayor pro tem., or member of Council presiding, shall pass a rule, requiring the principal and sureties on such bond to show cause on any day therein named, not to be less than ten days from the passage of such rule, why they should not be required to pay the amount of such bond.

Sec. 1814. Service of Rule—Within What Time.—A copy of said rule shall be served upon the principal and security or securities by any officer or member of the police force, if to be found in the City, at least five days before the time therein set for hearing the same.

Sec. 1815. Judgment on Bond—How Entered—Execution and Collection.—If no sufficient cause is shown, the Recorder, Mayor, or Mayor pro tem., or other officer presiding, shall proceed to enter judgment against such principal and sureties for

the amount of said bond, and the Clerk of Council shall issue execution for the amount of such judgment, and place the same in the hands of the City Marshal, who shall proceed to collect the same by levy and sale as in case of tax executions.

Sec. 1816. Surrender of Principal Discharges Liability—Provided This is Done Before Judgment is Entered.—Any survey upon a bail-bond of any person or persons charged with a violation of a City ordinance may surrender his, her, or their principal at any time to the officer on duty at the stationhouse, who shall confine such principal until discharged by order of the Court, or by giving other and good security. The delivery of the principal, as aforesaid, shall discharge the surety or sureties of all further liability upon such bond, provided that such delivery shall be before any judgment or forfeiture upon said bond shall have been entered.

Sec. 1817. Violators of State Laws Arrested—How Dealt With.—Any person, who shall commit a violation of the penal laws of this State in the presence of the Chief or officer or member of the police force, shall be arrested by them, or either of them, and carried before some proper officer for examination, and, if ordered by the Mayor, or any member of Council, or by the Court, to prosecute any such offender, he shall do so.

Sec. 1818. Persons Summoned to Suppress Affrays—Failure to Do So—Penalty—Resistance of Officer in Discharge of Duty—Penalty.—Any person or persons in said City, between the ages of eighteen and fifty years, who, upon being summoned by a member of the police force, or Mayor, or a member of Council, to aid in suppressing an affray, breach of the peace, or other outrage, shall refuse so to do, or refuse to arrest or aid in arresting any offender against the laws of this State, or any ordinance, and any person, who shall oppose, resist, or obstruct any police officer in the discharge of any duty, or the police, in the arrest of any offenders against any ordinance or law of this State, or other discharge of duty, shall, on conviction, pay a fine or not exceeding One Hundred Dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1819. Interfering with Policemen in the Discharge of Their Duty—Penalty.—It shall be unlawful after the passage of this ordinance for any person or persons to hinder, obstruct, or impede any police officer, or policeman, in the discharge of any duty; it shall be unlawful to menace or threaten such officers, or men, while in the discharge of such duty, and no person or persons shall follow up said officer, or men, while in charge of prisoners after he or she has been commanded to desist, or after any crowd shall have been commanded to disperse, and any person or persons, who shall or may be guilty of the foregoing acts, shall, upon conviction of the Recorder, or Mayor, or other officer presiding in the Recorder's Court, be fined in a sum not exceeding One Hundred Dollars, or be confined at hard labor on the streets of said City for a space not exceeding thirty days, in the discretion of the Court.

Sec. 1820. Firing Cannon in City Limits—Unlawful—Except With Permission—Penalty.—It shall be unlawful for any person or persons, or company, within the incorporate limits of the City, to fire off a cannon, or other piece of artillery, without special permission of the Mayor and General Council. Any person, or persons, who shall violate this ordinance, shall each be fined not exceeding One Hundred Dollars and cost, or be imprisoned not more than thirty days, or both, in the discretion of the Recorder's Court.

Sec. 1821. Fireworks—Permission of Mayor Necessary—Penalty.—Any person who shall burn rockets or crackers, or any kind of fireworks, within the incorporate limits of the City of Atlanta without permission in writing from the Mayor, shall, on conviction of such offense, pay a fine of not exceeding five dollars and cost, in the discretion of the Recorder's Court.

Sec. 1822. Assembling and Loitering on Streets—Notified to Disperse—Penalty for Failure.—Any persons assembling and loitering on the streets in sufficient numbers, or in any such manner as to be an obstruction to free passage on the streets, or sidewalks or crossings, and failing to disperse upon notification of any officer or member of the police force, or any citizen, shall, on conviction, be fined not exceeding One Hundred Dol-

lars, or be imprisoned not longer than thirty days, in the discretion of the Recorder's Court.

Sec. 1823. Idling in Front of Churches or Other Public Places Prohibited.—Any and every person, who, in said City, after having been directed by any officer or member of the police force to move away therefrom, shall remain or loiter in front of any church or other place of public worship during service therein, or in front of any theatre, concert hall, ball room, etc., or in front of any coffee house, bar room, or beer saloon, or shall loiter or idle his or her time on the sidewalks or public streets of this City, shall be deemed an idle and disorderly person, and, on conviction thereof, shall be punished, as hereinafter provided in Section 1825.

Sec. 1824. Lodging in Barns and Outhouses—Fraudulent Alms Seeking—Public Playing and Betting—All Prohibited.—Any or every person in said City, wandering abroad, lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, and not having any means of subsistence, and not giving a good account of himself or herself, and any and every person, who shall in said City, endeavor to procure charitable contributions under fraudulent pretense, and every person, who shall, in said City, play or bet in any street or public place at any game or pretended game of chance, shall, on conviction thereof, be punished, as hereinafter provided in Section 1825.

Sec. 1825. Penalties—Refers to Sections 1823 and 1824.—Any person, who shall be convicted of violating any or either of the provisions of the two preceeding sections, shall, for each offense be fined not exceeding One Hundred Dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1826. Feeding Animals on the Streets—Must be from Buckets or Bags—Penalty for Violation.—Any person or persons, who shall feed any horse, mule, cow, or other animal, on the streets of the City, except it be from feed buckets or bags

suspended from the head of such animal, shall, on conviction, be punished by fine not exceeding One Hundred Dollars, or be imprisoned not more than thirty days, in the discretion of the Recorder's Court.

Sec. 1827. Passenger Depot—Not Entered by Porters Without Permission—Penalty.—It shall not be lawful for any person or persons to enter the General Passenger Depot in said City in the capacity of porter or porters for any hotel or boarding house, except with the consent of the railroad authorities in charge of said depot, and any person violating this ordinance shall be tried by the Recorder's Court, and, upon conviction, shall pay a fine of not exceeding One Hundred Dollars, or be imprisoned not exceeding thirty days.

Sec. 1828. Rules of Depot Approved by Mayor and General Council—Violation an Offense—Duty of Policemen on Duty at Depot.—If any person or persons entering said General Passenger Depot, and violating the rules governing the same, or obstructing the business of the railroad authorities interested therein, may be ordered out by the police officer in charge, upon refusal to go, he shall be arrested and tried for a violation of this section, and, upon conviction, shall be punished as provided in the first section hereof; provided said rules shall be such as are reasonable, and which said Mayor and General Council shall have approved.

Sec. 1829. Disturbance of Public Schools in Session—Penalty.—No person shall be permitted at or near any public school house in this City to engage, by conversation, sign, or otherwise, the attention of any of the pupils at said schools to the disturbance of such schools and any persons doing so shall, on conviction, be fined not more than One Hundred Dollars, or imprisoned not longer than thirty days, in the discretion of the Recorder's Court.

Sec. 1830. Disorderly Conduct around Churches—Disturbing Public Worship—Penalty.—No person or persons shall congregate in and around any church in the City of Atlanta, either before, after, or during divine service, in such a disorderly or rude

manner as to become and be offensive, and a disturbance to those attending such church, and it shall be unlawful for any person or persons, by such unseemly gathering, or by loud talking, whistling, or laughing, to disturb any congregation of people assembled for divine service in this City. It shall be unlawful for any person or persons to be engaged in smoking, loud talking, or laughing, in or near the entrance or vestibule of any church in this City during divine worship. Any person or persons violating this ordinance, on conviction before the Recorder's Court, shall be fined in a sum not less than one nor more than One Hundred Dollars, or be confined upon the Public Works not less than one nor more than thirty days, one or both, in the discretion of the Court.

Sec. 1831. Rapid Driving of Vehicles by Churches Prohibited—Penalty.—From and after the passage of this ordinance, it shall be unlawful for any vehicle to pass any church on Sunday during services faster than a walk. Anyone violating this section shall, on conviction thereof in the Recorder's Court, be fined not exceeding One Hundred Dollars, or imprisoned not exceeding thirty days.

Sec. 1832. Impeding or Driving through Funeral Processions—Penalty.—Any person or persons, who shall drive a vehicle of any kind through any line of vehicles following any funeral procession through the streets of the City, or in any way impeding, retarding, or interfering with any such procession, shall, on conviction in the Recorder's Court, be fined not more than One Hundred Dollars, or imprisoned not longer than thirty days.

Sec. 1833. Private Funerals—Officers may be Detailed to Control Movement of Vehicles.—It is hereby put within the power of the Chief of Police, within his discretion, upon notice from the funeral directors, having in charge any funeral to occur at the residence of any person in the City of Atlanta, of the time and place of such funeral, to detail policemen to direct the passing of such house by vehicles other than street cars, police or fire machines, or ambulances, during the progress of the funeral exercises.

Sec. 1834. Guards of Small-Pox Patients Not to Allow Anyone to Pass—Penalty.—Any person or persons filling the position of guard or guards at any place in the City, where small-pox patients are confined, who shall permit any person or persons to enter or leave the premises without the permission of the Board of Health, shall, on conviction, be fined not more than One Hundred Dollars, or imprisoned not longer than thirty days, in the discretion of the Recorder's Court.

Sec. 1835. Defacing Telegraph or Telephone Poles—Penalty.—Any person or persons, who shall post any hand-bills, advertisements or pictures upon any painted telegraph or telephone poles, or who shall mar or deface the same by cutting or whitening, or who shall tie any horse or other animal to any painted poles, shall, on conviction, be fined not more than twenty-five dollars, or imprisoned not longer than twenty days, in the discretion of the Recorder's Court.

Sec. 1836. Mocking Birds Not to be Entrapped in City—Penalty.—No person shall be permitted to decoy and trap mocking birds within the limits of said City, and any person so offending shall, on conviction before the Recorder's Court of said City, be punished by a fine not exceeding One Hundred Dollars, or by imprisonment not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1837. Limitation of Prosecution for Violation of City Ordinances—Two Years.—All prosecutions for violations of City ordinances shall be commenced within two years after such violation, and any offense against said ordinances, for which no prosecution is begun within two years after its commission, shall be barred, unless the party shall have been beyond the City of Atlanta, in which case the time of absence from the City shall not be embraced or computed as within said two years.

Sec. 1838. Entry Fee Must be paid where Charged.—It shall not be lawful for any person to enter into any enclosure, where an entry fee is charged, in any other than the usual and ordinary way.

Sec. 1839. Penalty for Violation.—Any person violating section 1838 of this Code, shall, on conviction thereof before the Recorder's Court, be fined not exceeding twenty-five dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1840. Flying Jennies—Other Exhibitions Similar—Must Have Special Permits.—It shall be unlawful for any person, firm, or corporation to use or operate a flying jenny, or other similar exhibition, in any place in the City of Atlanta, except such as may have been approved or designated by the Mayor and General Council, acting upon the petition of the party desiring to use or operate such jenny or similar apparatus or exhibition.

Sec. 1841. Penalty for Violation.—Any person, firm or corporation violating the foregoing section, shall, upon conviction of such violation in the Recorder's Court, be punished by fine not to exceed One Hundred Dollars, or imprisonment not to exceed thirty days, in the discretion of the Court.

Sec. 1842. Ropers—Pimps—Enticers—Punished by Fine or Imprisoned.—Every person, who follows in the City of Atlanta the occupation of enticing strangers and others to visit gambling houses, or to gamble, all persons commonly known as ropers or cappers, and all persons commonly known as pimps, shall be punished, upon conviction before the Recorder's Court, by a fine of not more than One Hundred Dollars, or imprisoned not more than thirty days, either of both, in the discretion of the Recorder's Court.

Sec. 1843. Suspected Criminals—Vagrants—Idlers—Penalty.—Any suspicious person or character, who shall come to the City of Atlanta for any unlawful purpose, and especially with the intent to commit any burglary, or pick pockets, or to steal from the person or house, or to gamble, and shall not leave the City immediately upon being notified by the police force, or any member thereof, to do so, shall be deemed a vagrant or idler! and upon conviction before the Recorder's Court of the violation of any of the provisions of this ordinance, shall be fined not

more than One Hundred dollars, or imprisoned not more than thirty days, either or both, at the discretion of the Court.

Sec. 1844. Ticket Scalpers not to Solicit on Sidewalk.—It shall be unlawful for any employee of any cut-rate ticket office or dealer to stand on the sidewalk, and call out to persons passing by, in order to induce patronage to such office or dealer.

Sec. 1845. Penalty for Violation.—Any person convicted of a violation of preceding section shall be subject to punishment by fine not to exceed One Hundred Dollars, or imprisonment not to exceed thirty days, either or both of such punishment, in the discretion of the Recorder's Court.

Sec. 1846. Applications for License for Dance Houses—How Disposed of.—All applications for license to conduct dance houses shall be made to the Mayor and General Council, and referred to the Police Committee, and reported upon by that Committee.

Sec. 1847. Athletic Sports—Games, Etc.—Must Have Permission.—It shall be unlawful for any corporation, firm, or individual, to keep or maintain within the corporate limits of said City a park or grounds upon which baseball or other athletic games or athletic sports shall be engaged in for public amusement, without first having obtained permission of the Park Commission of said City, except as hereinafter provided.

Sec. 1848. Applications for Permits—Contents—Granted Subject to Revocation.—All applications for such permission shall distinctly state where said park or grounds are to be located, the character of the sports or games to be played, the class of persons who are to participate in the same, and the time for which said permission is desired. All permits given shall be subject to revocation, in the discretion of the Park Commission.

Sec. 1849. Mayor Grants Such Permits Between Sessions of Council Only of Force Until Council Meets.—In the intervals between regular meetings of the Park Commission, the Mayor shall have authority, in his discretion, to grant permission for

games, sports, or public amusements, not specified in the general permit. Such permit to be of force only until the first regular meeting of the Park Commission, after the same is granted, unless approved and extended by the Park Commission.

Sec. 1850. No Games without Permission.—No athletic games, sports, or other public amusements shall be engaged in at any park or on any grounds now used for such purposes after the first Monday in August, 1894, except as herein provided.

Sec. 1851. Playing Games—When a Nuisance, to be Stopped by Police—Penalty for Violation of Above Ordinance.—It is made the duty of the Police Department to enter cases and prosecute in the Recorder's Court whenever the playing of games or sports at any park or grounds becomes a nuisance. Any corporation, firm, or individual, who shall violate any of the provisions of this ordinance, or any person playing or participating in a game, for which no permit has been granted, shall, upon conviction thereof in the Recorder's Court, be punished by a fine of not more than One Hundred (\$100.00) Dollars, and imprisonment and labor upon the Public Works of the City not exceeding thirty days, either or both, in the discretion of the Court, for each and every offense.

Sec. 1852. Astrologers and Fortune Tellers not Allowed to Practice—Penalty.—It shall be unlawful for any person in the City of Atlanta to practice the calling or profession of fortune teller or astrologer. Any person violating this ordinance shall, on conviction thereof for each offense, be fined in a sum not exceeding One Hundred Dollars and costs, or imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1853. Spiritualists and Liberal Ministers—Exempt from Tax for Preaching or Demonstrating—Provisos.—All spiritualists and liberal ministers are exempt from taxation for preaching or demonstrating psychic researches, in public or private, in the City of Atlanta; provided they are authorized by churches or societies chartered by the State of Georgia or the United States; provided, further, that this ordinance shall not

be construed so as to authorize any person to carry on the business of telling fortunes in the City of Atlanta under the guise of seances or otherwise.

Sec. 1854. Spitting or Throwing Litter on Sidewalks—or in Public Places—Penalty.—It shall be disorderly conduct and unlawful for any one to spit or throw hulls, peelings, or other litter upon the sidewalks, or upon the floors of churches, public halls, theatres, street cars, or other public places, over which ladies are accustomed to pass in this City. Anyone violating any of the provisions of this Section, shall, on conviction before the Recorder's Court, and in the Court's discretion, be fined not less than one nor more than five dollars, and, in default of immediate payment of such fine, shall be sentenced to work in the City chaingang not less than two nor more than ten days.

Sec. 1855. Police or Sanitary Limits—All Ordinances Extended Over Such Territory.—All the ordinances of the City of Atlanta, penal or otherwise, especially the ordinances providing for sanitation or sanitary requirements, the sale of near beer and similar soft drinks, and all police regulations are hereby extended to and made co-existent with all the limits or territory included within the corporate limits of the City of Atlanta for police or sanitary purposes and any person violating such ordinances, within said territory, shall, on conviction in Recorder's Court, be punished as required by said ordinances.

CHAPTER LXVIII.

PEDDLERS, FRUIT STANDS, VETERAN AND OTHER
LICENSES.

Sec. 1856. Peddlers—License from City Necessary.—No itinerant trader or peddler, licensed by the Ordinary of any County in this State, shall offer for sale any goods, wares, or merchandise in the incorporate limits of the City of Atlanta, without first obtaining from the Clerk of Council a license, for which he shall pay the amount named in the annual tax ordinance for such business for each day he, she or they shall offer any goods, wares or merchandise for sale in said City.

Sec. 1857. Penalty for Violation.—If any such person shall offer any goods, wares, or merchandise, for sale in the incorporate limits of said city, without first having obtained a license from the Clerk of Council, the Chief or some officer or member of the police force, shall arrest such person, and carry him, her, or them before the Recorder's Court for trial, when he, she, or they shall be fined in a sum not exceeding One Hundred Dollars each, for every day he, she, or they shall violate the preceding section, or be imprisoned in the stationhouse or common jail of the County not more than thirty days.

Sec. 1858. Peddler Defined.—Any person, firm, or corporation who purchase goods or produce, or other things of value, without the City, and bring same within the City, and offer same for sale, to either merchants or consumers, shall be deemed a peddler, and shall be required to obtain a license as such, whether he offers for sale eggs, chickens, farm products, or other things of value.

Sec. 1859. Penalty for Violation of Above Section.—Any person, firm, or corporation, violating the provisions of the fore-

going ordinances shall, on conviction in the Recorder's Court, be fined not exceeding One Hundred Dollars, or be imprisoned not exceeding thirty days, either or both in the discretion of said Court, and execution shall be issued by the Clerk of Council for said tax, which shall be levied and collected by the Marshal as other tax *fi fas*.

Sec. 1860. Peddler Must Have Tags, Signs on Wagon, and Name and Number.—All peddlers of fruits and nuts, or of produce, where using wagons, shall have their respective wagons tagged and also the name of the owner painted on both sides of the wagon in plain and legible letters not less than five inches in height. The tags shall be not less than 3 1-2 x 5 1-2 inches, having numbers thereon, and are to be issued by the Clerk of Council in numerical order to licensees as their licenses are issued. Names of licensees with date of license and number of tag furnished shall be kept in a book by the Clerk.

Sec. 1861. Confederate Veterans Must Comply Herewith.—Said provisions shall apply to all Confederate veterans carrying on either of the businesses covered by the terms of this ordinance. While said Confederate veterans are not required to pay a business license, they are hereby required to conform to the terms of this ordinance in order that the City may be informed of the number of wagons peddling as aforesaid and the names of the owners, and bona fide licenses shall be protected from imposition.

Sec. 1862. Penalty.—Any person or persons owning or operating peddling wagons (except actual producers selling only the products of their respective farms, orchards or vineyards), and violating any of the provisions of this ordinance shall, on conviction in the Recorder's Court, be punished by a fine of not exceeding One Hundred Dollars for each offense, or imprisoned not exceeding thirty days on the public works, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1863. Peddling without License—Penalty—Bound Over—When.—If any itinerant trader or peddler shall offer any goods, wares, or merchandise for sale within the City of Atlanta,

without license from the Ordinary of Fulton County, he, she, or they shall be immediately arrested by the police force, and carried before the Recorder, Mayor, or some member of Council, where, upon proof of such charge being made, he, she, or they shall be bound over to the next term of the Superior Court of said County thereafter, to answer said offense.

Sec. 1864. Peddlers Must Carry and Show License—Penalty for Refusal.—Any person or persons selling or peddling goods, wares, or merchandise of any kind, from wagons or places other than their regular place of business, shall be required to carry their license for such business with them, and any person or persons who shall fail or refuse to exhibit his or her license on the demand of an officer of the City having the right to make an arrest, shall, on conviction before the Recorder's Court, be fined not exceeding twenty-five dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1865. Itinerant Traders Must Return Sales in 24 Hours to Clerk and Pay Tax—Penalty.—On each hundred dollars of the amount of sales of goods, wares, merchandise, produce, shingles, lumber, and all other articles sold by itinerant traders, including those who ship their produce, goods, wares, etc., into the City and sell the same either from cars, depots, or hotels, or go around the City and sell the same by samples, there shall be levied a tax of one dollar and twenty-five cents (sales less than one hundred dollars in proportion), excepting those, who raise their produce in the country adjacent; and in case of any person or persons making any of the above-mentioned sales do not return the correct amount sold, to the Clerk of Council, and pay the tax on the same within twenty-four hours after the same have been made, the Clerk of Council shall issue an execution against the delinquent, and place the same in the Marshal's hands for collection, which shall be collected as other tax *fi fas*, by levy and sale. Any person or persons failing or refusing to make returns, as above provided, may be arrested, and brought before the Recorder's Court, and on conviction, be fined in a sum not exceeding One Hundred Dollars and costs, or imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 1866. Selling Clothing, or Soliciting Orders for Printing—License Necessary—Penalty for Violation.—No person or firm shall take or solicit orders from others than registered clothiers or merchant tailors of this City for men's underwear, suits of clothing or parts thereof, who are not employed by registered clothiers or merchant tailors, and no person or firm shall take or solicit orders from others than regularly registered news-printing or book manufacturing houses for any class or kind of printing, or blank book manufacturing, without having first obtained a license to do so from the Clerk of Council, and paying therefor the sum fixed in the annual tax ordinance, and the sum of one dollar and fifty cents on each one hundred dollars of all sales and orders taken. Any one violating the provisions of this Section shall, on conviction, pay a fine of One Hundred Dollars, or be imprisoned thirty days, in the discretion of the Court.

Sec. 1867. License of Street Drummers—Not Applicable to Representatives of Wholesale Houses Selling Registered Merchants.—Any person soliciting trade or custom for any merchant or merchants in said City, on the streets or elsewhere, away from the store of any such merchant, shall be required to register as street drummer, and pay such a tax for carrying on said business as is fixed in the annual tax ordinance; provided that this ordinance shall not apply to representatives of wholesale houses in this City soliciting business from or selling goods to other registered merchants.

Sec. 1868. Penalty.—Any person doing business, as above stated, and failing to register and pay the tax above required shall be arrested by any officer or member of the police force, and taken before the Recorder's Court, and, on conviction, shall be fined not to exceed One Hundred Dollars, or be imprisoned not to exceed thirty days, either or both, in the discretion of the Court, and execution shall be issued by the Clerk of Council for said tax, which shall be levied and collected by the Marshal as other tax *fi fas*.

Sec. 1869. Persons Must Pay License—Return amount of Sales Within 24 Hours After Made—No License Issued for less Than Current Quarter—Penalty for Violation.—All persons engaged

in selling goods, wares, or merchandise to others than registered merchants in this City dealing in that particular line of goods offered by said drummers, shall be required before offering to sell such articles above mentioned, to take a license, for which he, she, or they shall pay the sum of Three Hundred Dollars per annum. In no case shall a license be issued for less time than the current quarter, and, in addition to paying the above license, the party or parties above referred to in this section shall be required to return the gross amount of such sales to the Clerk of Council within twenty-four hours after they have been made, and pay the tax on the same, of one dollar and twenty-five cents on every hundred dollars; and on failure or refusal to make such returns, and pay the tax on the same, the Clerk shall issue an execution and have the same collected as other *fi fas*, by levy and sale. This includes such parties as either stop at hotels or rent rooms at other places to display their goods and sell the same by sample, or take orders for shirts, clothing, or articles of like character. Any person selling as aforesaid and refusing or failing to take a license, and pay for the same as aforesaid, shall, on conviction before the Recorder's Court, pay a fine not exceeding Two Hundred Dollars and costs, or be imprisoned not to exceed thirty days, either or both, in the discretion of the Court.

Sec. 1870. License Necessary Before Commencing Business—Execution Issues for Failure.—All persons, firms, or corporations doing business of any description or character whatever in said City, who are required to register and pay license therefor, who shall refuse or fail to register such business by the 5th day of July, 1907, or those taking out license quarterly, who fail or refuse to do so by the 5th day after the beginning of the quarter, shall have execution issued against them by the Clerk of Council, which shall be levied and collected by the Marshal as other tax executions, but this five days indulgence does not apply to liquor or beer dealers.

Sec. 1871. Executions Issue Against Persons Failing to Register Their Business.—And any person, whose duty it shall be to register their business, and who shall fail or refuse to do so, may be arrested and brought before the Recorder's Court, and on conviction, fined a sum not exceeding One Hundred Dollars

and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court, for each day such business has been done after the 5th of July, 1907, without registering the same.

Sec. 1872. Penalties Prescribed for Those who Fail to Take and Pay for License.—Upon failure of any person, firm, or corporation, or company, agent, or agency, to make the proper returns of sales or receipts, merchandise, cash, and solvent debts as the case may be, within five days after the same are required to be made, it shall be the duty of the Clerk of Council to issue executions against such defaulters for whatever amount he may deem sufficient to cover the tax on their sales or receipts, merchandise, cash, and solvent debts, and other property, and such execution shall be collected as other tax *fi fas*. And upon failure of any person to make such returns within the time required by law or City ordinance, such person may be brought before the Recorder's Court, and on conviction fined a sum not exceeding One Hundred Dollars and costs, or be imprisoned or required to work on the Public Works not exceeding thirty days, or both, in the discretion of the Court.

Sec. 1873. Persons Coming into the City Must Procure License Before Beginning Business.—Any person or persons, firms or corporations, coming into the City for the purpose of engaging in any business, for which a license is required by this ordinance, shall apply to the Clerk of Council, and procure the same before commencing said business, and on failure to do so, the Clerk shall issue a *fi fa*, and place the same in the Marshal's hands for collection, the same to be collected as any other *fi fas*. for licenses are collected.

Sec. 1874. City's Fees in Matter of Executions.—The fees of the City shall be as follows:

Issuing <i>fi fas</i>	\$.50
Levying <i>fi fas</i> over \$100.....	1.00
Levying <i>fi fas</i> under \$100.....	.35
For advertising	Actual cost
For settling <i>fi fas</i> without levy.....	\$1.00
For making and executing deed.....	1.00

Cost on each fine collected in Recorder's Court75

Sec. 1875. Sale of Meats from Wagons Regulated.—No person shall sell any fresh or green meats upon the streets of the City from any wagon or other conveyance without first obtaining a license from the Clerk of Council; and having such wagon or other conveyance duly numbered and registered, and any person or persons violating this section shall, on conviction, be fined not more than One Hundred Dollars, or imprisoned not longer than thirty days.

Sec. 1876. Book Agents to Register.—Every person or firm engaged in the sale of books, maps, charts, or mathematical instruments within the corporate limits of this City, whether they shall occupy an office, or sell the same upon the streets, shall be required to register his, her, or their business.

Sec. 1877. No License to Peddle Groceries—Penalty for Doing So.—No license shall be issued to peddle groceries, and any person so peddling, as aforesaid, shall, on conviction thereof before the Recorder's Court, be fined in a sum not exceeding One Hundred Dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Court.

Sec. 1878. Peddling Meat from Wagons—Tag Required.—All persons peddling meats from wagons shall be required to obtain a tag from the Clerk of Council, at actual cost, to be placed on the wagon, and any failure to do so, or to exhibit a license on demand, shall pay a fine of not exceeding fifty dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 1879. Vendors of Ice, Meat, Etc.—Shall Have Scales—Penalty for Failure.—All vendors of ice, meat, vegetables, fruits etc., through the streets of this City shall provide themselves with scales or measures, in order to arrive at the amount of the articles so disposed of by such vendor. Any person or persons violating the provisions of the above section, shall, upon conviction before the Recorder's Court, pay a fine not exceeding

twenty-five dollars, or serve not more than thirty days upon the Public Works of the City, either or both, in the discretion of the Court.

Sec. 1880. Peddlers' Licenses—Fruit Stands—License—By Whom Granted.—The matter of issuing licenses to peddlers to carry on the business of peddling in the City of Atlanta, or to any person or persons to carry on fruit stands near the streets or sidewalks in said City, shall hereafter be one for the action and decision of the Mayor and General Council, acting upon the recommendation of the Tax Committee, to which Committee all petition for such licenses shall be referred for consideration. And neither the Committee on Relief nor the Mayor shall have or exercise jurisdiction to grant licenses to peddlers or fruit stands as aforesaid, except that the Mayor shall have the right of approval or veto of such licenses, as of any other action of the General Council; provided the Committee on Tax may, in proper cases, grant permits to conduct such stand or such peddling business, to be and remain of force only until the next regular meeting of the General Council, and subject to the action of such General Council on the petition in each case.

Sec. 1881. Fruit Stands—Manner of Procuring License, Etc.—Regulations—Boot-Black Stands—License Subject to Revocation—When—How.—Any person, firm or corporation desiring to conduct a fruit stand business near any street or sidewalk in the City of Atlanta, shall, before beginning such business make petition to the Mayor and General Council, describing the location of such proposed fruit stand, which said petition shall be referred to the Tax Committee. After careful investigation, the Tax Committee shall promptly report its recommendation, and the Mayor and General Council shall, in the exercise of its discretion, had with a proper regard for the preservation of the public health, the peace and good order of the City, as well as the proper regulation of trade, grant or refuse such license. No license shall be issued to any person to carry on any business stand on any street or sidewalk in the City, except by permission of the Mayor and General Council; provided, however, the Chief of Police shall have the right to locate boot-black stands on the sidewalks in his discretion. Neither the

Mayor nor the Tax Committee shall have or exercise the right to grant licenses for fruit stand. In proper cases, however, for the interval between the filing of a petition for a fruit stand license, and the probable approval of the same by the Mayor, the Tax Committee may grant a permit for such fruit stand, which permit shall be revocable by said Committee at any time in its discretion.

Sec. 1882. Fruit Stand Licenses May Be Revoked—Must Be Kept Cleanly—Must not Obstruct Passage on Sidewalks.—All licenses for fruit stands shall be issued subject to the power and right, which are expressly reserved by the Mayor and General Council, to revoke any or all such licenses whenever such revocation is, in the judgment of the Mayor and General Council, necessary or proper as a means of better promoting the public health, peace, and good order, or the proper regulation of trade in the City. Failure to keep a fruit stand in a cleanly manner, or any unnecessary obstruction of any street or sidewalk by the dealer in charge, or by any customer trading there, shall be sufficient cause for the revocation of the license in any case.

Sec. 1883. Must Not Use Sidewalks or Streets—Printed on Fruit Stand Licenses—Penalty, Revocation.—No fruit stand shall occupy or use any portion of any street or sidewalk with fruit, fixtures, heating, or cooking apparatus, or other article of stock; and a violation of this law shall work a revocation of the license. This paragraph shall be printed on all fruit stand licenses.

Sec. 1884. Peddlers' Licenses—Regulations—Restrictions—Also Regulations of Fruit Stand Licenses.—All licenses to peddle shall be paid for at the prices fixed in the annual tax ordinance, and the class of goods to be sold by each peddler, and the person or persons to whom peddler's license shall be issued, shall rest in the discretion of the Mayor and General Council, acting on the recommendation of the Tax Committee, in the interest of health, peace, and good order, and the proper regulation of trade in the City; provided, that no license shall issue to any person to carry on any business stand on the streets or

sidewalks of the City, or to peddle wares, fruits, candy, popcorn, or similar articles from any wagon or cart on the streets or sidewalks in the City. Any fruit stand licensed to do business near the sidewalk shall take and hold such license subject to a revocation at any time in the discretion of the Mayor and General Council, and a failure to keep such stands in a cleanly manner, or any unnecessary obstruction of the streets or sidewalks by the dealer in charge of such stands, or the customers trading there, shall be sufficient cause for revocation of license in any case.

Sec. 1885. When Peddlers' License May Be Revoked.—All licenses to peddle shall be issued subject to the power hereby expressly reserved by the Mayor and General Council to revoke any and all such licenses whenever such revocation is, in the judgment of said Mayor and General Council, necessary or proper as a means of better promoting the public health, peace and good order or proper regulation of trade.

Sec. 1886. No Stale or Unsound Articles Shall be Sold by Peddlers or Others—Penalty.—The selling or offering for sale, for food, by any peddler or other person in the City of Atlanta, of unsound or unwholesome vegetables, fruits, meats, eggs, fish, or stale or rancid butter, shall cause the person so offending to be punished, upon conviction thereof in the Recorder's Court, of said City, by a fine not exceeding One Hundred Dollars, or imprisonment not exceeding thirty days; and a forfeiture of the license of such peddler or other person shall be declared upon conviction.

Sec. 1887. Producers may Sell Individual Products.—While the legal right of the producer to sell the products of his own farm, vineyard, dairy, etc., is distinctly recognized, this right shall not be construed so as to authorize burners or producers of charcoal, or traders in country produce other than the producer of such country produce, to peddle or sell the same to consumers in the City of Atlanta; but every such trader must have a license.

Sec. 1888. Peddlers Permits—How Issued—By Whom—How Applied for.—Any person, firm, or corporation desiring to peddle any goods or articles other than those enumerated in the "Schedule of Licenses" shall make petition to the Mayor and General Council, describing the article to be peddled, and the time, for which license is wanted. Said petition shall be referred to the Tax Committee, which Committee shall investigate the same, and promptly report its recommendation to the Mayor and General Council. And the Mayor and General Council, in the exercise of a due regard for the preservation of the health, peace, and good order, as well as the proper regulation of trade in the City, shall, in its discretion grant or refuse such petition, and fix the amount of the license in each particular case. Neither the Mayor nor the Tax Committee shall have or exercise the right to grant license to peddlers. In proper cases, however, for the interval between the filing of a petition for a license, and the probable approval of the same by the Mayor, the Committee on Tax may grant a permit for such peddling and fix the amount of the license to be paid during such emergency period. Such permit shall be issued with the right reserved by the Tax Committee to revoke the same at any time, in the discretion of the said Committee.

Sec. 1889. Permits Issued, Subject to Revocation for Cause.—All licenses to peddle shall be issued subject to the power and right, which are expressly reserved by the Mayor and General Council to revoke any and all such licenses whenever such revocation is, in the judgment of the Mayor and General Council necessary or proper as a means of better promoting the public health, peace, and good order, or the proper regulation of trade in the City.

Sec. 1890. Penalty for Carrying on Fruit Stand or Peddling Business Without License.—Any person carrying on any business stand on the streets or sidewalks, or carrying on a fruit stand or the business of peddling, without a license or permit as hereinbefore provided for, shall be punished by a fine not to exceed One Hundred Dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court, for each offense.

Sec. 1891. Sale of Unsound Fruit—Unwholesome Eggs or Fish—Rancid Butter—Unlawful—Penalty.—The selling or offering for sale by any peddler in the City of Atlanta of unsound or unwholesome fruits, meats, eggs, fish, or stale or rancid butter, shall cause the person so offering to be punished upon conviction thereof in the Recorder's Court of said City by a fine of not exceeding One Hundred Dollars or imprisonment not exceeding thirty days, and a forfeiture of the license of such peddler shall be declared upon such conviction.

Sec. 1892. Chief of Police Locates Street Traders.—It shall be within the authority and duty of the Chief of Police to designate the portions of streets in the central portions of the City, wherein peddlers and other street traders may ply their vocations.

Sec. 1893. Penalty for Violation of Chiefs' Directions.—Any peddler, or other street trader, who shall ply his trade at any other places than those designated by the Chief of Police, shall be punished, on conviction before the Recorder's Court by fine of not exceeding One Hundred Dollars, or imprisonment not to exceed thirty days.

Sec. 1894. Medicine Venders—How Restricted—How Regulated—License Subject to Revocation for Cause.—No license shall be granted to any firm or person to sell from streets or pavements, tents, booths, or stands of any description, not being a regular store-house, any patent medicines or concoctions of medicinal properties, or other articles claimed to be remedies for physical ills, and any person engaging in such occupation, shall, on conviction for each offense, pay a fine of not exceeding Five Hundred Dollars, or be imprisoned at labor in the stockade or on the Public streets not longer than thirty days, either or both, in the discretion of the Court; provided that nothing contained herein shall be construed so as to debar any bona fide resident of the City of Atlanta from selling medicines manufactured and prepared for sale in said City from a tent, when a license therefor has been granted by the Mayor and General Council; provided, further, that no license shall be granted for a longer time than three months; and provided further that

said license shall be issued subject only to the right of the Mayor and General Council to revoke the same in their discretion at any time.

Sec. 1895. Coal, Guano, or Other Stock Companies, or Their Agencies Must Pay License.—All mining, chemical, coal, fertilizer, or other stock or manufacturing company, or other companies or corporations, having either their business proper or their general or branch offices located within the corporate limits of this City, and are either represented by the officers of the company, or any agent, for the purpose of soliciting patronage for the same, or for the transaction of any business pertaining thereto, shall be required to pay a license as set forth under the head of "Schedule of License."

Sec. 1896. All Business Subject to Pay License—Minimum.—All other business not herein enumerated or otherwise provided for by this ordinance, shall pay a license of not less than \$25.00 per annum, unless otherwise directed by the Tax Committee.

Sec. 1897. All Business Must Register—Must Pay License—When Due and Payable.—All persons, firms, or corporations engaged in any business, trade or occupation, specified below in the City of Atlanta, shall be required to register their various business, trade or occupation and obtain a license, for which he, she, or they shall pay the amount hereafter set opposite such business, trade or occupation, to be due and payable on the first day of July, 1907, and ending June 30th, 1908.

Sec. 1898. Anyone Advertising Himself as in Business of Any Kind Subject to Pay License.—Any person, firm, or corporation advertising by signs, cards, circulars, newspaper advertising or otherwise, that anyone is in a business of any kind shall be held liable for the license required of such business.

Sec. 1899. Classification of Business for Purpose of License.—Different branches of business shall be carefully classified and defined as to what constitutes a legitimate line of goods for each particular business, and in every case where more than one of the pursuits, employments, or occupations, which by charter and

ordinance are especially authorized to be taxed, shall be pursued or carried on in the same place by the same persons at the same time, the tax shall be paid according to the rates severally prescribed by ordinances regulating the same, for each pursuit, employment, or occupation, and for each different and separate line and character of goods, especially enumerated in the "Schedule."

Sec. 1900. Ice Sellers or Peddlers to Secure Permit—Application—Contents—Revoked.—Each person selling ice, in stores or at other fixed locations, or selling same from wagons, or peddling upon the streets, shall register their name and location, or wagon, first receiving a permit therefor as follows: Such person shall make application to the Tax Committee, setting out their location or their wagon, and the Tax Committee shall pass upon the character of said applicants, their reputation, etc., and, if approved, such person shall thereupon register their name, location or wagon, with the Clerk of Council and receive a certificate to this effect, and shall thereupon be authorized to sell ice from said location, or peddle ice upon the streets without being required to pay any charge therefor. Said permit may be revoked at any time by said Committee on complaint, after two days notice to such licensee or person holding permit, and an opportunity to be heard is given.

Sec. 1901. Penalty.—Any person, their agents or employees, selling ice at any location or from any wagon, without first receiving the permit and registering same as required in preceding section of this ordinance, shall be deemed guilty of an offense against the general welfare of the City of Atlanta, and on conviction thereof, in the Recorder's Court, shall be punished with a fine not exceeding two hundred dollars, or sentenced to work on the public works of the City for not exceeding thirty days, either or both penalties to be inflicted, in the discretion of the Recorder.

Sec. 1902. Peddlers in Fruits and Nuts Must Have License—Names on Wagons or Carts.—All peddlers of fruits and nuts, and of produce, where using wagons or push carts, shall, before beginning operations, secure from the City Clerk the license for

the current quarter, and, also shall have the name of the owner entered on both sides of the wagon or push cart, in plain and legible letters not less than five (5) inches in height on wagons, and three (3) inches in height on push carts.

Sec. 1903. Such Peddlers to Carry License with Them—Absence, Evidence.—All peddlers of fruits and nuts and of produce shall be required to carry with them for exhibition to any City official authorized to make such inquiry, the license as above described, and failure to produce such license when requested by the License Inspector, or other City Official, shall be prima facie evidence that such peddling wagon or push cart is being operated without license.

Sec. 1904. Penalty.—Any person or persons owning or operating peddling wagons (except actual producers selling only the products of their respective farms, orchards or vineyards), and violating any of the terms of this ordinance shall upon conviction in the Recorder's Court, be punished by a fine not exceeding \$100.00 for each offense, or imprisoned not exceeding thirty days on the public works, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER LXIX.

PHYSICIANS, CITY—MEDICAL RELIEF OF POOR.

Sec. 1905. **City Physicians—Their Election.**—The Mayor and General Council may, when other officers are elected, elect as many City Physicians as they may deem necessary for the proper treatment of the poor of the City.

Sec. 1906. **Their Compensation.**—Said City Physicians shall receive such salaries as may be fixed by the Mayor and General Council, and the amount of such salaries shall be determined prior to their election, and not be changed during their terms.

Sec. 1907. **Their Duties—Offices—Where Located.**—Each of these physicians must have his residence and office in the division for which he is elected. It shall be the duty of the City Physicians to attend to all kinds of practice among the poor free of charge, viz.: medical and surgical cases, including, besides ordinary diseases or injuries, obstetrics, venereal diseases, and small pox. It shall also be their duty to vaccinate every poor child in their respective divisions free of charge, to which no objection is offered.

Sec. 1908. **City Physicians to Attend Policemen Injured on Duty.**—It shall be the duty of the City Physicians in their respective wards to attend all policemen, who may be injured while on duty, when requested to do so, and it shall also be the duty of the policemen to use every effort to secure the aid and attendance of the City Physicians, when they may be needed for the treatment of injuries received by the policemen, while on duty, before calling in any other physician.

Sec. 1909. **Monthly Reports Made—Filed with Board of Health.**—The City Physicians shall make monthly reports at the first regular meeting in each month of the number of patients treated, number of street where they live, name of disease, num-

ber of visits to each patient, deaths, cures, relieved, improved, etc. These reports, after being read, to be filed with the Board of Health.

Sec. 1910. Small-Pox Emergency Hospital—Health Officers' Duty.—If small pox prevails to the extent of necessitating the opening of a small pox hospital, the Board of Health may in its discretion during such emergency, employ a physician to take charge of such hospital, at such salary per month as said Board may deem adequate, and it shall be the duty of each City Physician to report to the Health Officer all cases of small pox occurring in his division. The medical and other supplies furnished the small pox hospital to be at the expense of the City.

Sec. 1911. City Physicians under Supervision of Health Officer.—The Health Officer shall have supervision over the City Physicians, and see that they perform their duties faithfully. In case of neglect of duty, he shall report the case to the Board of Health, and, if, after due investigation, the physician be found guilty, he shall be reprimanded, fined, or dismissed from office, at the discretion of the City Council.

Sec. 1912. Shall Vaccinate Free of Charge.—It shall be the duty of City Physicians to vaccinate free of charge all residents of the City who may apply to them for that purpose.

Sec. 1913. Health Officer Furnishes Supplies to City Physicians.—The Health Officer shall maintain an office in the City Hall of the City, and shall keep on hand medical and other supplies, to be furnished at the expense of the City, which he shall furnish free to all the City Physicians under such restrictions as will secure the proper and economical use thereof.

Sec. 1914. City Physicians to Display Signs—Size—Contents.—All Ward Physicians are hereby required to display a sign at their offices and residences not less than 12 inches by 36 inches in size, giving the name, the Ward they represent, and their office hours.

Sec. 1915. City Physicians Shall Install Telephones—Their Expense.—Each Ward Physician is required to install at his residence a telephone and the expense thereof shall be borne by the physician.

Sec. 1916. Shall Attend Patients in Other Ward than His own Upon Direction of Health Officer.—Each Ward Physician shall be subject to be called to any Ward or Wards other than his own, in case of emergency to be judged by the Health Officer, and, when such Health Officer may direct any Ward Physician to attend a patient, or otherwise discharge the duties of a physician, in Wards other than the Ward of such Ward Physician, he shall promptly attend and serve, as in is own Ward.

Sec. 1917. City Calls Take Precedence of Personal Business.—Each Ward Physician shall give the City's business—that is, calls upon him as Ward Physician—the preference over his personal business, and shall in no case neglect, or delay, the City's work, that he may attend to or perform his private practice.

Sec. 1918. Shall Give Evidence in Court at Request of City Attorney—Shall not Take Cases Knowingly, Where Damage Suits May Result, and They be Required to Appear as Witnesses Against City.—When so requested by the City Attorney, it shall be the duty of any Ward Physician to attend Court, and give expert evidence, when material, without further charge or cost to the City; and such Ward Physician shall not take cases, nor attend patients, where they know, or have reason to believe, that such patients may have an action at law against the City for damages, whereby or wherein such City Physicians shall appear as witnesses against the City.

CHAPTER LXX.

POLICE DEPARTMENT—BOARD OF POLICE
COMMISSIONERS.

Sec. 1919. Board of Police Commissioners—Govern Police Force—Board, How Composed—Board, How Guided and Controlled.—The police force of the City of Atlanta shall be governed and controlled by a Board consisting of one police Commissioner from each of the wards of the city, of whom the Mayor shall be one, and the Chairman of the Committee on Police shall be one ex-officio member of this Board for and during his Chairmanship. During his membership on said Board, he shall have all the rights and privileges of any other member thereof, and his vote and voice shall be respected as such. The Board, in the management of the police force shall be guided and controlled by the City Charter, existing ordinances, and such additional ordinances as may hereafter be passed by the Mayor and General Council.

Sec. 1920. Organization of Board—Mayor to Preside in Its Organization—How Organized.—The Mayor, who is an ex-officio member of the Board of Police Commissioners, shall be and shall act as Chairman of the Board of Police Commissioners at the regular, adjourned or called meeting of the Board, and until the Board is reorganized. At the expiration of every Board of Commissioners, it will be the duty of the Mayor to preside until a new Chairman is elected. When the Mayor is acting as Chairman, he shall appoint a Secretary pro tem. to serve until his successor is duly elected. At the next regular, adjourned or called meeting of the Board of Police Commissioners of the City of Atlanta, it shall be their duty to reorganize said Board by the election of a Chairman, Chairman pro tem, and Secretary, and, when such organization is effected, it shall continue until the first meeting of said Board occurring after the election of Police Commissioners in March annually, when the Board shall be re-

organized, as provided for in this ordinance. The Mayor shall discharge all duties of Chairman, while acting Chairman.

Sec. 1921. Vacancies—How Filled—Chairman Votes.—If any vacancy occurs in either of said positions, it may be filled by an election at the meeting of said Board occurring next after the happening of such vacancy or vacancies. In voting for Chairman, Chairman pro tem, and Secretary of the Board, and in voting for Police officers and policemen of the City of Atlanta, and in voting in all trials held before said Board, the Mayor and the Chairman, and the Chairman pro tem, and acting Chairman, shall be entitled to vote on all questions, without reference to any question of a tie vote, the intent being to provide that each member of the Board shall have the right to cast a vote, and only one vote in any event.

Sec. 1922. The Police Department—How Composed.—The Police Department of the City of Atlanta consists of a Board of Police Commissioners composed of one Commissioner from each of the wards of the City (elected by the Mayor and General Council), and a police force and officers appointed by said Board. The Mayor of the City of Atlanta, and the Chairman of the Committee on Police of the City Council, are ex-officio members of the Board of Police Commissioners. They are elected for three years, one retiring one year, and two the next.

Sec. 1923. Board Members Ineligible for Succeeding Term.—Commissioners of Police shall be ineligible to succeed themselves; Provided, that members of the Board of Police Commissioners may succeed themselves from one term, and after serving two terms in succession, the foregoing provision shall then become applicable and be enforced.

Sec. 1924. Cannot Succeed Other Members, Whose Term Expire at Same Time.—In addition to preceding section prohibiting re-election of Police Commissioners, it shall be further unlawful for said Commissioners to either succeed themselves, or other Commissioners whose terms expire on the same day with themselves, and it shall be further unlawful for any member of the Board of Police Commissioners to resign his term of office, and be eligible for nomination and election at which this term of

office otherwise would have expired. It shall be further unlawful for any member of Council to nominate said members to succeed themselves, or for re-election, to said Board at the time at which their terms expire, or at the times at which their terms would have expired, but for resignations during the term of office immediately preceding said election.

Sec. 1925. Police Board Nomination—Duty of Council—Ineligibles.—That it shall be a breach of duty on the part of any member of Council to nominate any member of said Board, under the preceding section, and members of said Board shall be ineligible for election or nomination to said Board under the terms as above provided.

Sec. 1926. Unlawful for Candidates for National, State, County or Municipal to Formally Address Members of Police Force at Police Barracks—Officers in Charge of Police Barracks Shall Prevent Such—Speaking to Individual Members of the Force Personally Allowed.—That it shall be unlawful for candidates for office either National, State, County or Municipal, to address formally members of the Police Force at the Police Barracks, and the Chief, Captain and other officers in charge of said barracks are hereby directed to prevent and prohibit any further speaking by candidates at said barracks advocating their election for office. It is not the intention of this ordinance to prevent candidates for office visiting said barracks and speaking to individual members of the force personally, but it shall be unlawful for them to make public speeches, or to converse with said members to such an extent as to interfere with their duties on said force. It shall be the duty of the Chief, Captains and other officers to see that this ordinance is complied with, and that no one by public speaking, personal consultation or otherwise is to obstruct or interfere with said policemen in the discharge of their duties.

Sec. 1927. Govern Police Force Under Laws and Ordinances. The Board of Police Commissioners governs and controls the Police Department, its business and affairs; is invested with and exercises all the powers conferred by the laws of the State and ordinances of the City. They shall be prompt in attending all

meetings of the board, and will notify the chairman or Chief of Police before absenting themselves from the City.

Sec. 1928. Government and Discipline of Police Department.—Government and discipline of the Police Department shall be such as is prescribed by existing ordinances of the City of Atlanta, and such as the General Council may hereafter provide.

Sec. 1929. Police Officers Suspended or Removed Only on Trial by Board—Majority Vote Necessary for Conviction.—The Chief of the Department of Police, officers or any member of the Police Department shall not be suspended during their term of office, or removed from their position by the Board of Police Commissioners, unless upon a trial of said Chief or officers or members for offenses against said department, or in whatever manner said Board may undertake to try them, that there shall be cast for their conviction or for their suspension or removal from office a majority of the entire Board.

Sec. 1930. Unlawful for Member of Board Police Commission to Discharge Duties of Chief of Police.—That it shall be unlawful for any one of the Board of Police Commissioners to hereafter undertake to discharge the duties of Chief of Police, or to have special control and direction of officers and members of the Police Force in the arrest of criminals or the discharge of their duties as policemen, or from expending the appropriations of the City in special or detective work which would otherwise, or usually is, in charge and under direction of the Chief of Police

Sec. 1931. Police Board to Discharge the Duties of an Administrative Board Only.—Said Board shall discharge hereafter the duties of an administrative Board, and shall not be permitted nor shall they designate any of their members to carry out the orders or direction of the Board as to matters over and about which the City has selected officers or patrolmen to cover or perform, and compensates them therefor.

Sec. 1932. Meetings of Board.—The Board of Police Commissioners shall meet once every month, or oftener if necessary; the day and hour left discretionary with the Board. A majority

of the Board may call an extra session whenever the emergency demands. In emergency the chairman is authorized to convene the board.

Sec. 1933. Chairman Presides.—The Chairman shall take the chair at the hour appointed for any meeting, and shall call the members to order, and on the appearance of a quorum (four members) shall cause the minutes of the preceding meeting to be read and approved.

Sec. 1934. Chairman Pro Tem Presides.—**When.**—In the absence of the Chairman, the Chairman pro tem, is vested with all the powers of the Chairman during such absence. In absence of both, the Commissioners present shall select a Chairman to act during the time of such absence

Sec. 1935 Secretary Keeps Records and Records Aye and Nay Votes.—The Secretary shall keep a record of all proceedings of the Board of Police Commissioners and record same in a book kept for that purpose. Whenever the "ayes" and "nays" have been called for on any question, the same shall be recorded when desired by any member of the Board.

Sec. 1936. Committees and Their Reports.—The Chairman shall appoint all committees; and they shall report at the succeeding regular meeting on any matter referred to them, or show cause of failure to report.

Sec. 1937.—Motions Written—Majority Rule.—All motions must be reduced to writing if the Chairman or any member of the Board desires it; and in all matters coming before the Board, a majority shall govern.

Sec. 1938. As to Discussions.—No member of the Board shall speak on the subject under discussion until first rising to his feet. When more than one member shall rise at or near the same time, the Chairman shall decide in favor of the member first attracting his attention. Every speaker shall address the chair, and no member shall interrupt him except to call him to order.

Sec. 1939. Questions fo Order.—The Chairman shall decide all questions of order, but any member dissatisfied with his decisions shall have the right to appeal to the Board.

Sec. 1940. Reconsideration.—A motion to reconsider any of the proceedings of the Board will not be entertained unless it be made by a member who previously voted with the majority.

Sec. 1941. Secret Sessions to Decide Trials.—In the trial of any member of the police force, charged with the violation of the rules or ordinances, the rooms shall be cleared after the testimony and argument have been heard, until the decision of the Board is formed.

Sec. 1942. Communications.—No communication to the Board shall be entertained unless the same is in writing.

Sec. 1943. Modification of Rules.—A majority of the Board of Police Commissioners may enact, modify and repeal, from time to time, any orders, rules and regulations governing the Police Department of the City of Atlanta, the same not to conflict with the Constitution of the United States, the laws of the State of Georgia, or the ordinances of the City.

Sec. 1944. Suspension of Rules.—The rules of the Board shall not be suspended except by a unanimous vote of all the members present.

Sec. 1945. Parliamentary Law Enforced.—The Chairman when the Board is in session, shall enforce parliamentary rules so far as they may be applicable to such a body.

Sec. 1946. Adjournment.—A motion for adjournment shall always be in order.

Sec. 1947. Order of Business.—The order of business shall be :

1. Reading the minutes of previous regular and called meetings.
2. Trials.
3. Petitions and communications.
4. Auditing bills and accounts.
5. Reports of committees.
6. Reports of special committees.
7. Reports of officers.
8. Resolutions.
9. Elections.
10. New business.

Sec. 1948. Rules and Regulations for the Selection, Retention, Promotion, Reduction and Dismissal of the Members of the Police Department—General Provisions.—That all appointments, promotions or selections for officers, patrolmen and employees as hereinafter prescribed of the Police Department shall be made according to the merit and fitness of candidates therefor, to be determined by mental and physical examinations, and in the manner prescribed by these rules and such amendments thereto as may from time to time be adopted by the Mayor and General Council.

Sec. 1949. No Appointment to be Affected or Influenced by any Candidate for Office.—That no appointment of any officer, patrolman or member of the Police Department shall in any manner be affected or influenced by the choice of such officer, patrolman or member of the Police Department of any candidate for any office. No inquiry shall be made of any applicant, nor any question in any form of application or in any examination shall be framed so as to elicit, and no answer shall be given so as to disclose, any information whatsoever concerning such choice in elections for public office, and no application or recommendation involving any such disclosure shall be received, filed or considered by the Board of Police Commissioners.

Sec. 1950. Practical Examinations—Physical and Mental Capacity the Test.—That all examinations shall be practical in their character, and shall relate to such matters as will best, fairly

and adequately test the relative physical and mental fitness and capacity of the persons to be examined for the discharge of the duties of the position into which they seek to enter.

Sec. 1951. Written Examinations.—That all examinations shall be in writing, except such as relate to physical qualities.

Sec. 1952. Examinations Semi-Annual—Often if Necessary.—That examinations of applicants shall occur semi-annually, and as much often as may be necessary in order to have in hand at all times an eligible list sufficient to meet the necessities of the Police Department.

Sec. 1953. Examinations at Police Station—Special Room—Advertised Two Weeks in Advance in Daily Papers.—That examinations shall be held at the Police Station building in the room set apart for use by the Board of Police Commissioners, or in some other room suitable for the purpose, two weeks after public notice of the time and place of the examination shall have been given by advertisement in each of the daily papers published in the City of Atlanta each day for three consecutive days.

Sec. 1954. Free Application Blanks Furnished.—That application blanks approved by the Board of Police Commissioners shall be furnished to all applicants on request, free of charge to them.

Sec. 1955. Filed Applications in Handwriting of Applicant, Accompanied by Certificate of Four Reputable Citizens—Not Public Officials.—That all applicants shall file applications addressed to the Board of Police Commissioners on the prescribed form, in the handwriting of the applicant and accompanied by the certificate of at least four reputable citizens of Atlanta (not public officials that they have personally known the applicant for not less than one year, and that they have read his statements and believe them to be true, and answering such further questions with reference to the applicant as may be shown on the application blank, and that they will, upon request, give such further facts concerning him as they may possess, for the files of the Board of Police Commissioners.

Sec. 1956. No Member of Force can Engage in Other Business.—That no member of the force shall be engaged in any mercantile or other business while on the force.

Sec. 1957. Secretary Shall Mark Applications in Order Handed Him.—That all applications shall be marked, filed by the Secretary of the Board of Police Commissioners in the order in which they are handed to him.

Sec. 1958. Applications Must Have Tax Vouchers Attached.—That each application must have attached to it a certificate that the applicant has paid all his taxes due for the preceding two years.

Sec. 1959. Two Years Citizenship Required.—That all applicants must have been citizens of Atlanta for two years preceding the date of their application.

Sec. 1960. Application Must Contain Full Information Regarding Applicant—Birth, Weight, Height, Residence, Married or Single—Past Record—Present Occupation and Occupation for Past Four Years.—That applicants must state in their applications their names in full, their height and weight, the day, month and year of their birth, and where born, their residence, and how long they have resided in the City of Atlanta; whether married or single; whether they have ever been indicted or held under accusation of a court of record convicted of violations of the State or United States law, if so, what; to what extent, if any, they now use or have used in the past intoxicating liquors or narcotics; whether they have ever before applied for a position in the Atlanta Police Department, and the result; their present occupation and their occupation for the past four years.

Sec. 1961. Applications Under Oath.—That the statements of applicants in their applications must be under oath, properly attested.

Sec. 1962. Examinations Permitted if Applications Meet Requirements Specified.—That all applicants vouched for as herein required, except as hereinafter provided, shall be permitted to

be examined after filing applications herein specified, provided their answers to the questions contained in the applications shall show that they have been citizens of Atlanta for two years next before filing of their applications, that they are of age, height and weight required by the rules, that they are not addicted to the habitual use of intoxicants or narcotics, that they have not been convicted of any crime of any infamous or disgraceful nature, and have not within two years been dismissed from the public service for cause as specified in the rules, and have not intentionally made a false statement of a material fact, and have not practiced or attempted to practice any fraud or deception in their applications and have paid all their taxes due for the preceding two years.

Sec. 1963. Applications Filed with Secretary Three Days Before Examinations.—That applications must be filed in the required form, with the Secretary of the Board of Police Commissioners, at least three days before the date on which examinations are advertised to occur.

Sec. 1964. Lack of Established Preliminary Requirements Precludes Examination.—That the Board of Police Commissioners shall not permit any applicants to be examined whose statements in their applications show that they lack any of the established preliminary requirements as indicated in Sec. 1960.

Sec. 1965. Board Can Refuse Examination if Satisfied General Character of Applicant is Not Good.—That the Board of Police Commissioners through an investigation made under its direction or otherwise, if satisfied that the general character or reputation is not good, shall refuse to permit him to be examined.

Sec. 1966. Board Shall Designate Applicants Not Permitted Examination.—That the Board of Police Commissioners, after examining applications and making such further investigations as they may deem proper, shall, by a resolution entered on its minutes, designate the candidates who have filed applications who are not permitted an examination.

PHYSICAL EXAMINATIONS.

Sec. 1967. Secretary Shall Deliver to Board of Surgeons Names of Eligible Applicants.—That the Secretary of the Board shall deliver to the Board of Surgeons who are to make the physical examinations, on the day that the examination is to be held, the names of all applicants who are indicated by the Board's resolution as eligible to be examined.

Sec. 1968. Examinations by Three Physicians.—That physical examinations shall be conducted by three physicians, one of whom shall be the City Health Officer, the other two to be selected for that purpose by the Board of Police Commissioners prior to each examination from the Board of Physicians of the Grady Hospital.

Sec. 1969. Surgeons Shall Report on Blanks Furnished for Purpose.—That blanks suited to the purpose shall be furnished to the Board of Surgeons, and they shall report thereon the physical condition of each candidate, together with his rating, and they shall be furnished with a copy of the indispensable standards indicated by these rules of physical examinations.

Sec. 1970. Indispensable Standards for Physical Examinations Shall Be as Follows:

Age.—Not less than twenty-three at the time of application, nor more than forty at time of appointment.

General Appearance.—The applicant must be free from any marked deformity, free from all parasitic or systemic skin disease, and from evidence of habitual intemperance in the use of stimulants or drugs. The body must be well proportioned, of good muscular development, and show careful attention to personal cleanliness.

Obesity.—Muscular weakness, or poor physique must reject.

Nose, Mouth and Teeth.—Obstructions to free breathing, chronic catarrh, must reject.

The mouth must be free from deformities or conditions that

interfere with distinct speech, or that predisposes to disease of the ear, nose or throat.

Rupture in any form, must reject.

Genitalia must be free from deformities and from varicocele, hydrocele, enlargement of the testicle, stricture, or incontinence of urine.

Any acute and all venereal diseases of these organs must reject.

Rectum and Anus.—Fissures, fistulas and external or internal piles, must reject.

Arms and legs, hands and feet must be free from affections of the joints, sprains, stiffness or other conditions, such as flat-foot, ingrowing nails or hammer-toes, which would prevent proper and easy performance of duty.

PATROLMEN.

APPLICANTS MUST COME UP TO THE FOLLOWING AS A MINIMUM.

Height	Weight	Expansion	Mobility
5 feet 8 inches	140 pounds	33 1-2 inches	2 1-2 inches
5 feet 9 inches	145 pounds	34 inches	2 1-2 inches
5 feet 10 inches	150 pounds	34 inches	2 1-2 inches
5 feet 11 inches	155 pounds	34 1-2 inches	2 1-2 inches
6 feet 0 inches	160 pounds	34 1-2 inches	3 inches
6 feet 1 inches	165 pounds	34 1-2 inches	3 inches
6 feet 2 inches	170 pounds	35 inches	3 inches
6 feet 3 inches	175 pounds	35 1-2 inches	3 inches
6 feet 4 inches	180 pounds	35 1-2 inches	3 1-2 inches
6 feet 5 inches	185 pounds	36 inches	3 1-2 inches

Height taken barefoot; weight and measurement, naked.

In the case of patrolmen, the minimum height required is 5 feet 8 inches, the weight 140 pounds, and the chest measurement 33 1-2 inches.

Eyes.—The applicant must be free from color blindness, and be able to read with each eye, separately, standard test types at a distance of twenty feet. Loss of either eye, chronic inflammation of lids, or permanent abnormalities of either eye must reject.

Ears.—Normal hearing with each ear is required.

Respiration must be full, easy and regular; the respiratory murmur must be clear and distinct over both lungs, and no disease of the respiratory organs be present.

Circulation.—The action of the heart must be uniform, free and steady, its rhythm regular and the heart free from organic changes.

Brains and nervous system must be free from defects.

Kidneys must be healthy and urine normal.

Sec. 1971. Foregoing Qualifications Indispensable—Medical Examiners Shall Put Other Tests if Necessary.—That the foregoing qualifications prescribed by Rule 23, are indispensable, but it is understood that the medical examiners will put such other questions or tests, bearing upon each case, as he may think necessary and proper, and that the whole examination will be thorough, and exact and circumstantial

Sec. 1972. Strength of Back, Legs and Arms to be Tested.—The medical examiners shall also test the strength, activity and physical capacity of all applicants who come up to the standard required in the medical examination by suitable examination into the strength of back, legs, arms, etc.

Sec. 1973. Medical Examiners Prohibited from Examining Candidates in Their Private Capacity as Physicians.—The medical examiners are prohibited from examining candidates in their private capacity as a physician, and applicants will therefore not call upon them for information or special examination.

Sec. 1974. Two Medical Examiners' Report Unfavorable, Candidate Can be Rejected.—That if two of the medical examiners certify to the Board of Police Commissioners that a candidate fails to meet the indispensable requirements of Rule 23 in any particular, the candidate shall be rejected and his papers filed.

Sec. 1975. Each Applicant Meeting Requirements of Sec. 1970 Given Rating.—That each applicant who meets the indispensable standards of Sec. 1970, shall be given a rating by the medical ex-

aminers which shall indicate on the examination blanks, on the following subjects :

- (1) Measurement of weight, height and chest expansion.
- (2) Sight and hearing.
- (3) Strength.
- (4) Habits as to the use of stimulants and narcotics.
- (5) General organic condition.
- (6) Previous condition of health.
- (7) Present condition of health.

Each subject shall be marked upon a scale of 100, which shall represent the maximum possible attainment. If the medical examiners differ as to the rating on any subject, the rating given on that subject shall be the average of their judgments. The same weight shall be given to each subject and all candidates who meet the requirements of Rule 23, who are given an average rating of 70 on the physical examination, shall be permitted to take the educational examination, and the Board of Police Commissioners shall, by resolution or otherwise, cause the names of all such candidates to appear on their minutes. Results of the physical examination shall be reported to the Board of Police Commissioners by the Examiners.

EDUCATIONAL EXAMINATION.

Sec. 1976. Educational Examination Conducted by Three Selected Persons.—That the educational examination shall be conducted by three persons not officials of the State, County or City, selected by the Board of Police Commissioners.

Sec. 1977. Secretary Shall Give Certificate to Candidate Who Pass Physical Examination—Can Then Take Educational Examination.—That the Secretary of the Board of Police Commissioners shall give each candidate who has successfully passed the physical examination as shown by the minutes of the Board of Police Commissioners, a certificate to that effect to the educational examiners without disclosing any candidate's name, and all candidates with such certificates who shall report promptly to the Educational Examiners at the time and place at which

the examination is to occur, shall be permitted to take the educational examination.

Sec. 1978. Candidates Given Papers.—That all candidates having certificates and reporting for examination as aforesaid, after entering the examination room shall be given the following papers:

(1) A preliminary sheet containing the number applicant is to use, and general instructions for his guidance.

(2) A declaration sheet, with an appropriate blank for the applicant's signature, and also showing the number he is to use, containing the following questions, which the applicant must answer, to-wit:

Said sheets shall be placed in an envelope immediately and not opened until the papers are marked. Applicants shall upon a separate sheet of paper state what examination the applicant desires at this time and hand same to examiners, and showing the applicant's number only.

(a) What is your name in full?

(b) What was the date of your birth?

(c) Where were you born?

(d) Where is your legal residence now, and how long have you been a legal resident there?

(e) What has been your place of abode and occupation for each of the past four years?

(3) A sheet appropriate for a written examination in spelling twenty words, the words to be pronounced by one of the examiners. The words shall not be catch words, but such words only as are in every day use.

(4) A sheet appropriate for an examination of arithmetic, including for patrolmen and supernumeraries, addition, subtraction, multiplication and division, for each of which there shall be but one problem. The problem shall be simple; for example, the numbers to be added shall contain no more than five figures, and there shall be seven numbers given. In division, the dividend shall consist of five figures and the divisor of two; and in multiplication, the multiplicand shall consist of five figures and the multiplier of two. The examination in arithmetic for sergeants, captains and chief shall be more difficult, and general

rules indicating its extent shall be prescribed by the Board of Police Commissioners and given to the Examiners on or before the day when such examinations are to occur.

(5) A sheet appropriate for an examination in letter-writing; one letter to be required of not less than twenty-five words, the subject to be given by the examiners. The examiners may give two subjects and the applicant shall choose either. The subject shall relate to the police department and its duties.

(6) A sheet appropriate for an examination on the Manuel, which shall contain, first, questions asking ward locations of five well-known buildings; second, the street locations of five well-known buildings, and, third, five practical questions as to the duties of policemen under stated circumstances; the answers to which are to be found in the Manuel. The Manuel, however, is not to be set before the applicants at the time of the examination.

Sec. 1979. Name of Applicant Shall Remain Unknown to Examiners—Violation Will Cause Rejection or Dismissal.—That the name of the applicants shall not appear or be in any manner disclosed to the examiners on any papers given the examiners by the applicants further than handwriting will disclose them. A violation of this rule will cause an applicant to be rejected, and it shall be the duty of the examiners not to place an applicant on the eligible list who has violated it, and if the examiners shall place any violator of the rule on the eligible list, he shall not be eligible to appointment, and if they discover it after appointment, the offender shall be promptly dismissed from the service.

Sec. 1980. Papers Signed by Number—One Exception.—That all papers except the declaration sheet shall be signed by the applicant only by the number appearing on that sheet.

Sec. 1981. Prompt Rating Given.—That the examination papers shall be rated by each of the examiners as soon as practicable on each subject.

Sec. 1982. Rated on Scale of 100.—That the rating on each sub-

ject shall be made upon a scale of 100, which shall represent the maximum possible attainment. The average of the rating by the Examiners of the several answers on any one subject shall be the standing on that subject.

Sec. 1983. General Average Determined by Weight of Subjects.

—That the general average standing of each competitor shall be made up in accordance with the weight attaching respectively to the several subjects, as for example, as follows:

			Standing on	Weight	Product of
Subject			subject	given to	standing
				subject	and w't.
15	1	Handwriting	90	15	1350
10	2	Spelling	75	10	750
10	3	Letter writing	85	10	850
15	4	Arithmetic	70	15	1050
50	5	Practical questions	80	50	4000
			—	—	—
Total product					8000
Dividing product by sum of weights				100	
General average standing.....					80

As indicated, the standing on each subject, shall be multiplied by the weight given such subject, as shown above, and the product placed in the third column, and the sum of these products divided by the sum of the weights, shall give the general average.

Sec. 1984. Three Physicians—Examiners—Board Appoints.—

The Board of Police Commissioners are hereby authorized to designate three practicing physicians to examine all applicants for positions in the department of police and to fix the charges therefor.

Sec. 1985. Minimum General Average of 50 Required—Exam-

iners shall Forward Papers in Sealed Envelopes to Police Board Commissioners.—That every candidate who shall receive from the Examiners a general average of not less than 50 and not less than 20 on any subject except practical questions, and not less than 50 on practical questions, shall be certified to the Board of Police Commissioners by the Examiners as suitable for the eli-

gible list, and the Board shall open the envelopes and place the names of all such persons on the eligible list. The rating by the examiners shall be made on the preliminary sheet and signed by them. They shall forward the papers, including the envelopes, with the seals unbroken, to the Board of Police Commissioners.

Sec. 1986. Method of Determining Relative Standing of Eligibles.—That to determine the relative standing of eligibles the Board of Police Commissioners shall in each case give the physical examination a weight of 60 and the educational examination a weight of 40. The general average of each candidate in the physical examination shall be multiplied by 60 and the general average in the educational by 40 and the two products added together and divided by 100; the quotient shall be the rating the candidate is entitled to on both examinations.

Sec. 1987. Eligibles Listed According to Relative Ratings as Determined in Both Examinations—Precedence Given First Filed Applications.—That the eligibles of each shall be placed on the lists in accordance with their relative ratings for the two examinations determined as aforesaid, the highest coming first, the next highest second, and so on. If two or more candidates have the same rating, precedence shall be given those whose applications were filed first.

Sec. 1988. Election by Promotion from Supernumerary Force.—That election to the force of regular patrolmen shall be by promotion from the supernumerary force in the following manner:

The Board shall elect one at a time. The first election shall be from the first three names on the supernumerary list. The next election shall occur from the first three names on the supernumerary list including the two names rejected in the first election, and the two not taken shall be restored to the supernumerary list. The third election shall be in the same manner, and so on until the whole number to be elected shall have been chosen. But any person that has in any manner come before the Board five times without being elected shall be dropped from the supernumerary or eligible list altogether until he shall have been restored to the list by another examination. The Board shall elect

supernumeraries from the eligible list in the same manner as above prescribed.

Sec. 1980. Rules Governing Selection of Supernumeraries.—

Any persons elected as a supernumerary shall be duly notified, and upon accepting and reporting for duty, shall be appointed for a probationary period of six months as a supernumerary. If his conduct and efficiency shall at any time during said probationary period be unsatisfactory to the Board of Police Commissioners, he shall be notified in writing, relieved from duty and his name stricken from the list. If his services have during such probationary period been satisfactory to the Board of Police Commissioners, he shall be so notified in writing, his name placed on the list of regular supernumeraries and so continued until he is promoted to a position on the regular force, as provided in Section 1988; but if his conduct or efficiency shall during this term become unsatisfactory to the Board of Police Commissioners, they shall have authority to dismiss him from said supernumerary force with or without trial as they may elect—provided that this section shall not apply to any of the men on the present force.

Sec. 1990. Probationers Declining Appointment Stricken from List—Exceptions Made.—That the name of any person for a probationary period who shall decline such appointment, shall be stricken from the eligible list, unless such declination be for the following reasons: Temporary inability, physical or otherwise, the evidence of which must be acceptable and approved by the Board of Police Commissioners and set forth in its minutes.

The failure of an eligible person to respond within four days to an offer of appointment sent his post-office address, shall be considered a declination.

When a person named in a certification has declined appointment, and on receipt from such officer of such declination in writing, or evidence of the failure of such person to respond to a notice properly sent, his place shall be filled by election in the manner hereinbefore prescribed.

Sec. 1991. Appointees Required to Fill Out Identification Sheet to be Filed With Application Papers—Revocation.—That every person selected for appointment shall be required to fill out and

sign in the presence of the Secretary of the Board of Police Commissioners an identification sheet, repeating the essential facts stated by him at the time of examination, which shall be filed with the appointee's papers.

If a person who is not entitled to certification, is certified and appointed, his appointment shall be revoked.

PROMOTIONS.

Sec. 1992. Official Positions Filled by Competitive Examinations.—That vacancies in the positions of Chiefs, Captains or Sergeants shall be filled by competitive examinations, so far as possible.

Sec. 1993. Examinations for Promotions Ordered When Necessary—Notice Given to Eligibles Thirty Days in Advance.—That examinations for promotion shall be ordered as often as necessary to meet the needs of the Department. Such examinations shall be open in each case to all persons who have served with fidelity, not less than six months as patrolmen, supernumerary or officer of the Police Department. Notice of such examinations shall be given by the Secretary of the Board of Police Commissioners to all eligible persons at least thirty days in advance thereof.

Sec. 1994. Subjects of Rating—Relative Weights in Any Competitive Promotion Examinations.—That the subjects of rating and the relative weights thereof in any competitive promotion examination shall be as follows: For seniority of service in a position or grade below that to which promotion is to be made, 10; for comparative conduct and efficiency in previous service, 50; for written papers on pertinent subjects, 40; provided that in rating for seniority, such rating shall be based upon the service of the candidate in the grade in which he is at the time employed; and provided further that the maximum term of service in a position or grade to be considered in rating for seniority shall be five years.

Sec. 1995. Basis of Rating—"Efficiency Record"—That to provide a basis of rating for previous service, there shall be kept

in the office of the Chief of Police, a record continuous and permanent of the efficiency, character and conduct of all persons in the Department. Such record shall be known as the, "Efficiency Record," and the entries made therein, shall have reference to the quality and degree of excellence of the service or work performed by each employee or officer; second, the quantity of work performed by him; third, his punctuality and attendance; fourth, character and habits in so far as they affect his proficiency or trustworthiness. Such record shall be subject to the prior approval of the Commissioners as to its scope and form, before it is established.

Sec. 1996. What Constitutes "Efficiency Record."—That the record as to efficiency shall include the number of arrests made for the following offenses:

Murder, burglary, arson, assault with intent to murder, including all cutting and shooting scrapes, pocket book snatching, larceny from the house and from the person, assault and battery.

The record shall likewise show with reference to a patrolman or supernumerary, the offenses of the above named nature committed in his beat for which arrests were not made by him. Arrests for the above named offenses by patrolmen or supernumeraries shall likewise be credited to the sergeant or captain over them at the time, and failure to make arrests, shall also go to the discredit of the sergeant or captain over them at the time, unless in each case arrests are made by other patrolmen or supernumeraries under the sergeant or captain at the time on duty. Failure to make arrests shall not be charged to an officer or patrolman, provided he shows to the Board of Police Commissioners that he is not at fault.

Sec. 1997. Age Determining Promotions.—That no person shall be promoted to the position of Chief unless he is 30 years of age, and no person shall be promoted to the position of Captain unless he is 28 years of age, and no person shall be promoted to the position of Sergeant unless he is 25 years of age.

Sec. 1998. Promoted Officers to Serve Probationary Period.—That any person promoted to the position of sergeant, captain, or chief, shall serve in such position for a probationary period

of not exceeding six months. If during the six months probationary period, at the expiration thereof, such person is notified by the Board of Police Commissioners that his service is not satisfactory, such person shall be reduced to ranks. If such person receive no such notification, his employment shall be considered to hold good during good behavior and efficient service, to be finally and exclusively judged by the Board of Police Commissioners.

Sec. 1999. Educational Examination for Sergeant.—That the educational examination for the promotion to position of sergeant shall include an examination on spelling, letter-writing, arithmetic and hand-writing, and fifteen practical questions, the answers to which are found in the Manuel, pertaining to the duties of patrolmen and the duties of sergeant. The examination for spelling, letter-writing and arithmetic shall be somewhat more difficult than that prescribed in the rules for examination for patrolmen.

Sec. 2001. Educational Examination for Captain.—That the educational examination for promotion to the position of captain shall be the same as that provided for examination for promotion to the position of sergeant, except that it shall be more difficult than the sergeant's examination, and the fifteen practical questions shall relate to the duties of patrolmen, sergeants and captains.

Sec. 2001. Education Examination for Chief.—That the educational examination for promotion to the position of chief shall include the same subjects as are prescribed for the examination for promotion to the position of captain, except that it shall be more difficult than the captain's examination, and the practical questions shall be fifteen in number and shall relate to the duties of patrolmen, sergeants, captains, detectives and chief. Any citizen of Atlanta may take the examination, whether on the force or not. Persons outside the force shall be required to have a rating of 80 before being allowed on the eligible list, and they shall be rated on the educational examination only. The chief may be elected from among the persons on the force who secure a rating of 70, and those not on the force who secure a

rating of 80, but it shall require a vote of six members of the Board to elect a chief from eligibles not on the the force at the time.

Sec. 2002. Examinations for Signal Service Men and Linemen.—Conducted by City Electrician.—That examinations for signal service men and linemen shall be the same as the examinations prescribed for patrolmen, including both the physical and mental examinations, except that the practical questions for the signal service men and linemen shall be conducted by the City Electrician. The rating for linemen shall be the same as for patrolmen. The examination blanks shall also be the same as the examination blanks for patrolmen.

DETECTIVES.

Sec. 2003. Detectives Elected from Force.—Detectives shall be elected from the force of patrolmen and supernumeraries.

The examinations for detectives shall be conducted at the same time as the examinations for patrolmen, when possible.

The examinations for the detectives shall be the same as the examinations for patrolmen, with this exception, that the practical questions to be put to applicants for positions on the detective force shall relate to the duties of detectives under stated circumstances.

REDUCTIONS AND DISCHARGES.

Sec. 2004. Judgment by Trial.—That any regular member of the Police Department, whether chief, officers or men, shall be subject to be discharged at any time by the Board of Police Commissioners, after a trial according to existing ordinances of the City of Atlanta, either for violating the rules as laid down in the Manual, for laziness or inefficient service, to be finally and exclusively judged of by the Board of Police Commissioners.

Sec. 2005. Discharged Persons Shall Have no Claim Against City—Ineligible For Two Years.—That any person discharged as aforesaid shall have no claim against the City of Atlanta on account thereof, and shall not be eligible for examination or election for two years.

Sec. 2006. Age Limit and Terms of Service Constituting Eligibility for Pension.—That all persons who shall have served the City of Atlanta as chief, captain, sergeant, patrolman or supernumerary, or in any two or more of these positions combined for a period of thirty years, and who shall have attained to the age of sixty-five years, may be retired by the Board of Police Commissioners on a pension to be paid to him monthly at the rate of One Dollar per day. Said retirement shall not occur and said pension shall not be paid unless, in the judgment of the Board of Police Commissioners, further service of any kind of the person to be retired is impracticable on account of age or wounds received or impairment of health which has occurred during such person's service. Service rendered prior to the adoption of this ordinance, on the Police Force, shall be counted in estimating the period of thirty years. The foregoing provisions for pensioning members of the Police Force shall not apply in age limit and terms of service to the members of the present police force who may be re-elected whenever the force, to be elected April 1907, or at such earlier period as may be determined, but any member of the present force who may be so re-elected and who has served the City as a member of said force for not less than twenty years, may, in the discretion of the Board of Police Commissioners, be placed upon the pension roll and paid therefor as provided in this section.

Sec. 2007. Pensions for Wounded Members of Police Force—Death—Pension to Widow and Children.—That whenever any member of the Police Department has received wounds while acting in the discharge of his duty, which unfits him for the service or other labor, he shall be retired on a pension to be paid him monthly at the rate of One Dollar per day. If any member of said department shall die from injuries received while in the discharge of his duties, and shall leave a widow, or if no widow, any child, or children under the age of ten years, a sum not exceeding three hundred dollars may be paid by way of annuity to such widow as long as she remains unmarried, or to any such child or children so long as he or they continue under the age of ten years, and the Board of Police Commissioners may from time to time order such annuity to be reduced.

Sec. 2008. Pension for Widow and Children of Policemen Who Die From Wounds Received While on Duty.—In the event of the death of an officer of the Department of Police, caused from wounds received while in the discharge of his duty, the widow and minor children, or if no minor children, then the widow, shall be paid the salary of such officer in monthly installments, for and during twelve months following his death. If said officer leaves no widow, but minor children, then a guardian shall be appointed for said children, and the salary of such officer for a like period of twelve (12) months shall be paid to such guardian.

This ordinance is enacted for the good of the service, as it is believed that officers will be more fearless in the discharge of their duties if they know that at least some provision is made for their families after their death; also because it is believed, aside from considerations of the kind mentioned, some recognition or reward should be made to such officer and his family in consideration of the loss of his life for the protection of the public. The word "officer" as herein used, meaning both patrolmen, as well as appointed officers.

The Board of Police Commissioners shall pay the sums above apportioned from the appointment to salaries in the Department of Police, and shall keep the name of such officer on the pay-roll for said period of twelve (12) months, in order that the provision of this ordinance may be executed.

Sec. 2009. Present Force Not Affected by Adoption of This Ordinance, Except as Provided—Eligible Without Examination or Probationary Period—Date of Election.—The Chief, officers and all men of the Police Force as now made up shall not be affected by the adoption of this ordinance in their present positions, except as hereinafter provided; and at the expiration of their present term of service, whether by resignation or limitation, they shall be eligible to election on the force as chief, officers or men without examination and without serving probationary period. A chief, officers and men for the Police Department of said City, shall be elected by the Board of Police Commissioners on the second day of April, 1907, or prior to that

date, if said chief, officers and men shall resign from their present term, and thus relieve the City from its contracts, and when so elected shall serve without any fixed term of employment and subject to the terms of this ordinance. Said chief, officers and men so elected shall serve during good behavior and efficient service, all of which to be judged of by the Board of Police Commissioners. Said Board of Police Commissioners shall be authorized at any time to discharge the chief, officers or men, or other employees of their department, without any liability attaching to the City on account of said discharge.

Sec. 2010. Chief of Police, Chief Executive Officer—General Supervision of all Departments—Orders Obeyed.—The Chief of Police is the chief executive officer of the Police Force. He will have the general supervision of every department of the force, and will be held accountable to the Board of Police Commissioners for the promulgation of all orders or regulations made or given by the Board. Every member of the police force shall respect and obey all orders issued by the Chief. It shall be his duty to faithfully execute all rules, regulations and orders adopted by said Board of Police Commissioners at any regular or called meeting of the Board, and between Board sessions in situations or emergencies not dealt with or provided for by said Board, has entire control of his department.

Sec. 2011. His Orders Obeyed.—He shall have power to give such orders to the captains, members of the police force and the Detective Department as he may deem proper; and it shall be their duty to render to him and his orders implicit obedience.

Sec. 2012. His General Duties—Streets, Bridges, Etc.—It shall be his duty at all times, day or night, to preserve the public peace; to protect the rights of persons and property; to provide proper police force at fires; to protect the firemen and property thereat; to protect strangers and travelers at railway stations; to suppress riots and insurrections, disperse unlawful or dangerous assemblages, and assemblages which obstruct the free passage of public streets, sidewalks, parks and places; to preserve order at elections and all public meetings and assemblages; to prevent and regulate the movement of teams and vehicles in the streets; and

prevent the violation of all laws and ordinances in force applicable to the Police Department. It shall also be the duty of the Chief of Police to require the police force of the city to make daily reports of the condition of the different bridges in their respective beats in the city, and in case of any of said bridges or walls are reported by the police in a dangerous condition, it shall then be the duty of the Chief of Police to notify the Mayor, whose duty it shall then be to notify the Street Committee, and if the extent is such as to require the expenditure of city funds other than ordinary repairs, it shall then be the duty of the Mayor or committee to call a special meeting of the General Council to consider same.

Sec. 2013. Responsibility and Some Special Duties.—He will be held responsible for the good order of the city and the general good conduct of the officers and men of the police force. He will, as often as possible, pay frequent visits at uncertain hours to various portions of the city that he may be able to know of his own knowledge that the officers and men are performing their duties.

Sec. 2014. Suspensions.—Neither the Chief, Assistant Chief, Captains or Sergeants shall be removed from office or reduced to ranks, or suspended for a longer time than until the next regular or called meeting of the Board, without a trial by the Board of Police Commissioners, after charges have been preferred and the officer has been given an opportunity to be heard, and then only by a majority of the Board, and not simply a majority of a quorum present.

Sec. 2015. May Suspend Subordinates.—The Chief of Police shall have the power to suspend any member of the force any number of days in his discretion for violation of any rule for the government of the Police Department, until the charge against him is disposed of by the Board of Police Commissioners at any regular or called meeting. If the violation is of such a nature as demands an investigation by the Board, he will at once furnish the Secretary with the name of the officer suspended, a copy of the charges, and the names of the witnesses to be subpoenaed, that the charges may be fully investigated by the Board

of Police Commissioners; all such to be reported to the Board at the first called or regular meeting thereafter for their approval.

Sec. 2016. Assistant Chief Police—Duties of Office.—The office of Assistant Chief of Police is hereby created, to be elected by the Police Commissioners. Said Assistant Chief shall perform the duties of Chief in case of the sickness, absence or disability of the Chief, and, otherwise, he shall perform such other duties as may be required of him by the Chief or the Board of Police Commissioners.

Sec. 2017. Qualifications for Assistant Chief.—The qualifications for said position are the same as are now prescribed for the position of Chief. Furthermore, all the provisions of the Civil Service ordinance prescribing rules for examination, are hereby ordained as applicable to and covering the position of Assistant Chief, except the age limit of forty, shall not apply to present members of the force.

Sec. 2018. Salary Assistant Chief.—That said Assistant Chief be paid the sum of \$150.00 per month to be taken from apportionment to salaries in Department of Police.

Sec. 2019. Stolen Property.—Hereafter any property which may be taken in possession of by the police force from persons who have stolen the same, or otherwise, shall be disposed of in the following manner: All such property shall be taken to the station house and safely kept for 60 days, and if after that time the same shall be unclaimed by persons making satisfactory proof of title, the Chief of Police shall advertise the same for sale for ten days by posting in three of the most public places in the city a written notice which shall fully specify the articles to be sold, and the time when, and place where each sale will take place.

Sec. 2020. Disposition of Stolen Property.—At such time and place the property shall be sold to the highest bidder for cash; such sales shall take place between ten a. m., and four p. m., in front of the stationhouse; **provided**, that any perishable property may be sold after such notice, or such disposition made of the

same as the Mayor may direct. The Chief of Police shall keep a complete record of when such property came into the possession of the police force, where found, or from whom taken, a description of the property, when the same is claimed, and by whom, or when advertised, and when and for what amount sold. All money arising from such sales shall be paid to the City Tax Collector, and by him to the Treasurer.

Sec. 2021. Photographs.—The Department of Police are authorized to have photographs taken of persons arrested by the officers of said department where charged with a felony; and also provide a system or method of taking the measurements and finger prints of said persons and like provisions, whereby such criminals or arrested persons may be identified in case of their subsequent arrest or where it is afterwards desired to identify same. It is hereby made discretionary with the recorder or chief of police to have similar examinations and evidences of likeness and similarity preserved where said parties are charged with offenses of less grade.

Sec. 2022. Special Officers—Unlawful to Wear Regular Uniform.—It shall be unlawful for any officer sworn in as a special policeman to wear a regulation police uniform of the City of Atlanta, and any person violating the provisions of this section, shall, on conviction in the Recorder's Court, be punished by a fine not exceeding \$100.00 and imprisoned not exceeding thirty days on the Public Works, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2023. Minors Under Ten Shall Not be Conveyed in Patrol Wagon.—That minors under the age of ten, when arrested for offenses against the city, shall not be conveyed to the station-house in the police patrol or similar wagon. When such minors are arrested the officers shall serve them with a copy of charges and thereupon they shall be released without bond.

Sec. 2024. Detective Agency Business Abolished—How Licensed Hereafter—Subject to Police Supervision.—No person, firm, company or corporation shall carry on or be engaged in the business of a private detective or detective agency, unless such

person, firm or corporation has been first recommended for license or permit for such detective business or agency by the Board of Police Commissioners of said City; but in all cases in which such recommendation is made and certified by the Board of Police Commissioners to the Clerk of Council, a license or permit shall be thereupon issued for such business. When so licensed, the licensee shall take the oath of a city detective, and be subject to police supervision. Any person, firm or corporation who shall be hereafter engaged in the business of a detective or detective agency in said City, outside of the police force of said City, and without a license issued as hereinabove provided for, shall be punished by a fine of not exceeding Five Hundred Dollars, or imprisonment for not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 2025. Detective Agency—Bond Required—Use of Persons Injured by.—All persons, firms or corporations, licensed under authority of the Mayor and General Council, for the purpose of operating a detective agency, or following the occupations of detective, shall give a bond in the sum of \$1,000, payable to the City of Atlanta, for the use of any person, firm or corporation, injured or damaged on account of any illegal act of such agency or detective or persons employed as detectives by such licensed agency or detective or any employee in and about their business licensed as aforesaid.

Sec. 2026. Penalty.—Any person, firm or corporation carrying on a detective agency or following the occupation of detective, without giving bond as required in foregoing section, shall on conviction in the Recorder's Court, be punished by a fine not exceeding \$500.00, or sentenced to work on the streets or public places of the City, not exceeding thirty days, either or both penalties, to be inflicted, in the discretion of the Recorder.

Sec. 2027. Certificate as to Character.—No detective agency now or hereafter licensed by the City of Atlanta, shall send out or employ for detective work any person or agent whose character and proficiency has not been approved by the Board

of Police Commissioners and the Chief of Police, and a certificate to that effect lodged with said detective agency.

Sec. 2028. Penalty.—Any detective agency now or hereafter licensed by the City of Atlanta that sends out any person or agents to do detective work without the approval provided for in preceding section of this ordinance shall thereby forfeit the license granted for such agency, and if it thereafter continues said detective agency, any person, agent or officer or manager of such agency shall, on conviction in the Recorder's Court of a violation of this ordinance, be fined for each day's operation as a separate offense, not exceeding Two Hundred Dollars, or imprisoned not exceeding thirty days, or forced to work upon the Public Works not exceeding thirty days, either or all of such penalties to be inflicted in the discretion of the Recorder.

Sec. 2029. Assuming to be Policemen.—It shall not be lawful for any person not being a policeman in the city, to assume to act as such, or represent himself as such; and every one violating this clause of this ordinance, upon conviction thereof, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder.

Sec. 2030. Search—Delivering of Effects in State Cases—Not Search Person when Sober.—In case of the delivery of any person arrested from police station to the custody of the Sheriff, or other arresting officer of this or any other county or State, it shall be the duty of the stationhouse keeper, as aforesaid, to deliver any weapon belonging to such prisoner to such arresting officer, but to deliver any valuables or money belonging to such prisoner to the prisoner himself, and to take receipts from the prisoner and arresting officer for the articles delivered to them respectively. Except in cases of intoxication of the prisoner, as aforesaid, it shall not be allowable for the stationhouse keeper to remove their valuables from their persons, unless under authority of a search warrant, duly sworn to by a person claiming such valuables, but it shall be allowable for such stationhouse keeper to receive for safe keeping any such money and valuables at the request of such prisoner, and in such case the same shall be listed, docketed and receipted for as hereinbefore provided for.

(Stationhouse keepers are now stationhouse sergeants, May 5, 1897).

Sec. 2031. Patrolmen Give Whole Time—Always on Duty.—

The officers and members of the police force shall devote their whole time and attention to the business of the department, and are expressly prohibited from following any other calling, or being employed in any other business while connected with the police department. Although the members of the force are, by the rules and regulations of the service, relieved at certain hours from the actual performance of duty on ordinary occasions, yet they are held to be at all times on duty, and must be prepared, while relieved as aforesaid, to act immediately on notice that their services are required. Provided, that the Probation Officer may have an office with the Rescue Association, said Association now maintaining a place at No. 53 Decatur Street, and be authorized to exercise general superintendence over the work of said Association and be permitted to receive such compensation therefor, in addition to salary paid by the City, as said association may desire to pay.

Sec. 2032. Duties of Deputy City Marshal.—Each officer in the office of City Marshal, who is sworn in and entrusted with the powers, and given the duties of Deputy City Marshal, shall each and all be vested with the rights and powers of a regular police officer, of the City of Atlanta. They shall each be sworn in as such by the Board of Police Commissioners, and be furnished with a badge as a regular police officer, and are hereby empowered with the duty and authority to make arrests, in proper cases, as other policemen, or when so directed by the Chief, or other directing officers of the Department of Police.

Sec. 2033. Selling Cigarettes.—The police authorities are hereby specially charged and instructed to most rigidly enforce and bring to trial all parties who violate the State enactment in regard to selling or furnishing cigarettes or cigarette material to minors. Any dealer or agent keeping on hand for the purpose of selling, giving or furnishing cigarettes or cigarette materials that have been adulterated with opium, Indian hemp or any compound thereof, shall, upon conviction before the Recorder's Court, for

each offense, pay a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, or serve not more than the discretion of the Court; provided, that nothing herein contained shall apply to wholesale dealers in furnishing the wholesale or retail trade outside of Fulton County.

Sec. 2034. Leaks in Water Pipes.—It shall be the duty of the policemen to report to the Superintendent of the Waterworks any unnecessary leaks in the water pipes, hydrants or private sprinklers that they may notice in their rounds, and they shall have authority to enter any premises where any useless waste of water may appear, and notify the tenant or owner of the same, and if such waste is not stopped, a case shall be made before the Recorder's Court against the person allowing such waste, and on conviction, the offender shall be fined not exceeding ten dollars and costs, or imprisonment not exceeding thirty days.

Sec. 2035. Special Policemen—Badge—Duty.—Special policemen appointed upon any emergency or apprehension of riot, tumult, mob, insurrection or invasion, or during any day of public election, shall have all the powers and privileges and perform all the duties that may be, by the rules, orders and regulations, from time to time, prescribed. They shall wear a badge prescribed and furnished by the Board of Police Commissioners.

Sec. 2036. Private Watchmen—Subject to Officers of the Department.—Private watchmen appointed upon the application or at the expense of railroads or other corporations, or of individuals, shall have the powers and exercise the duties of patrolmen, only at the place designated in their license, and during their hours of duty, or when called upon by regular officers of the force. They shall be subject to the orders of the Chief of Police, captains and sergeants, and shall obey the rules of the Board of Police Commissioners. They shall be removed at any time by the Board of Police Commissioners without assigning any cause therefor, after due notice being given to the person or persons who applied for the appointment aforesaid. They will be required to wear a special police badge.

Sec. 2037. Requisites of.—No person will be appointed a private watchman who is under twenty-one or over sixty years of age, or who is not a citizen of the City of Atlanta; or who is not able to read and write the English language understandingly; or who is not of good moral character; or who has ever been convicted of crime.

Sec. 2038. Previous Residence of Twelve Months Necessary by Applicants for Police Force.—No person shall be eligible to a position on the police force unless he shall have resided continuously in the city limits for twelve months next preceding his application, and an affidavit to this effect shall be filed with his application, accompanied by the tax collector's receipt or certificate that all taxes required of him have been paid for the year preceding the election. Applicants for appointment to positions on the police force shall present to the Police Commissioner a petition in the prescribed form, which shall be signed by at least five citizens of good character and habits, and verified by the affidavit of one of them, to be designated

Sec. 2039. Stationery Engines Under Police Control—Must Visit—Unlicensed Engineers Prosecuted.—All places in the City of Atlanta where stationary steam engines or boilers are operated are placed under the police control of the City of Atlanta and it is hereby made the duty of the police to visit each steam plant in the city, as often as may be necessary to carry out the purposes of this ordinance, and ascertain if the engine or boiler therein is operated by a licensed engineer or assistant engineer, and, if such police officer ascertains that the engine or boiler aforesaid is being operated without such licensed engineer or assistant engineer, he shall at once sue out an accusation against such person in the Criminal Court of Atlanta and prosecute same as other State offenses are prosecuted.

Sec. 2040. Stationary Engineers to Post License—Penalty.—All licensed engineers shall keep their license or certificate issued by the said Board of Examiners of Engineers posted in a conspicuous place in the engine or boiler room where they work and on failure to post their licenses, as herein required and on conviction of violating this section in the Recorder's Court of

the City of Atlanta, such person shall be fined not exceeding fifty (\$50.00) dollars, or imprisonment not exceeding thirty days upon the public works of the City of Atlanta, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2041. Form of Pawnbroker's Report.—The following form for pawnbroker's reports is the official form and all reports, required to be made by pawnbrokers under existing ordinances, shall be made in this form, and shall, in all respects, comply therewith. Reports, not following this form and containing the information therein provided, shall be rejected. The pawnbroker, making such insufficient and rejected report, shall be deemed in default and held not to comply with the ordinances requiring reports and shall be subject to the penalties, provided in such ordinances, for failing to make reports.

Pawnbrokers' Daily Report.

Office of No. St., Atlanta, Ga.

Description of property received in pawn this
day of 191

GENERAL

WATCHES

DESCRIPTION OF PERSON

Number of Pawn Ticket	Amount Ad- vanced	Full Description of Articles Pledged, in- cluding initials or Engraving	Number of Case	Number of Movem't	Age	Height	Comp.	Male	Female

Sec. 2042. City Physicians Must Examine Applicants for the Police Force.—It shall be the duty of the city physicians, in the wards of the residences of such applicants, to examine all applicants for positions on the police force of the City of Atlanta, and upon the request of the chairman of the Board of Police Commissioners of said City, to file in the office of the Board of Police Commissioners under the official signature of said city

physician, a certificate of the physical condition of said applicant.

Sec. 2043. Clear Streets for Military Parade.—It shall be within the authority of, and shall be the duty of the chief of police and other police officers and patrolmen, upon application to the chief of police for such purpose, to clear the roadway, or as much of the roadway, of any street or streets in the City of Atlanta, in advance of a parade of the military forces of the United States, or of the State of Georgia, or any portion of such forces of the General or State Government, as the officer or officers of such forces shall desire to use for the purpose of such parade, preference being given, however, to United States mail, police patrol wagon and the fire department. The chief of police shall indicate the location of street traders on the streets, as provided elsewhere in this Code.

Sec. 2044. Also for Civic Parades.—It shall likewise be within the authority of, and shall be the duty of, said chief of police and other police officers and patrolmen, upon like application, to clear the roadway of any street or streets necessary, in the judgment of the chief of police, to be used for civic parade or procession.

Sec. 2045. Shall Remove All Ordinary Traffic—Animals—Vehicles—Pedestrians.—In clearing the roadway, or designated portion of the roadway, of any street or streets, in advance of such military parade or civic procession, it shall be within the authority, and shall be the duty of said chief of police or other police officer or patrolmen, to cause the removal therefrom of all ordinary traffic and travel, including animals, vehicles and pedestrians.

Sec. 2046. Penalty.—Any person, firm or corporation refusing to remove himself, or animals, or vehicle in his possession or under his control from the roadway or designated portion of the roadway of any street intended to be used for any such military or civic parade or procession, upon notice so to do by the chief of police or any other police officer or patrolman, or coming upon a roadway or designated portion of a roadway of any

such street, so as to prevent the free use thereof by such military or civic parade or procession, over the objection of such chief of police or other officer or policeman, or over the objection of the officer or person in charge of such parade or procession, shall be guilty of a violation of this ordinance, and, on conviction thereof in the Recorder's Court of the City of Atlanta, shall be subject to a fine not exceeding One Hundred (\$100.00) Dollars, or imprisonment not to exceed thirty days, either or both of these punishments, in the discretion of the Court.

Sec. 2047. Arrest for Violation of State Laws as to Parades.

—It shall likewise be the duty of the chief of Police or other police officers or policemen to arrest any person, firm or corporation whose obstruction of any military parade shall amount to a violation of the penal laws of the State, and to prosecute such offenders in the State Courts in the manner prescribed by law.

Sec. 2048. Disorderly Conduct Not Allowed on or Near the Cars of the Collins Park and Belt Railroad at any Point on the Line of Said Railroad, Either at or Between the Terminals of Said Line.—It shall be unlawful for any person or persons to fight or quarrel, or use profane or vulgar language, or otherwise act in a disorderly manner, on or near the cars of the Collins Park and Belt Railroad Company at any point between its terminus on Marietta Street, near Broad Street, in the City of Atlanta, and its other terminus at the Chattahoochee River, the whole line of railroad of said company having been incorporated as a part of the City of Atlanta, for police purposes, by an act approved December 3d, 1896.

Sec. 2049. Disorderly Conduct not Allowed at the Park at the Terminus of Collins Park and Belt Railroad at the Chattahoochee River.—It shall likewise be unlawful for any person or persons to fight or quarrel or use profane or vulgar language, or act in a disorderly manner, at the pleasure resort of the terminus of said road on the Chattahoochee River, said pleasure resort also being incorporated under the Act mentioned in above section.

Sec. 2050. Employees of Collins Park and Belt Railroad Made Policemen for Enforcing Sections 2048 and 2049.—The conductors, motormen and other employees of the said Collins Park and Belt Railroad Company, are hereby vested with the full power and authority of policemen for the purpose of arresting and bringing to trial persons guilty of any violation of Sections 2048 and 2049.

Sec. 2051. Penalty.—Any person convicted of violation of Sections 2048 and 2049 shall be liable to a fine of not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of the Recorder's Court of the City of Atlanta, and said court shall, also, in its discretion, bind over persons guilty of the violation of State laws to the courts having jurisdiction of such violations.

Sec. 2052. Juvenile Court.—From and after the first day of April, 1904, the Recorder, or other authorized officer sitting as Recorder pro tem, shall hold sessions of said court for the trial of offenses committed by or charged against juveniles, under the age of fifteen years, separate and apart from the sessions of said court.

Sec. 2053. Held in Recorder's Court Room.—That said sessions shall be held in the Recorder's Court room, or any convenient place in the building where the Recorder's Court is held, and under the authority of law providing for its establishment and authorizing it to try for offenses committed against the law and ordinances of the City of Atlanta.

Sec. 2054. Time Fixed by Recorder.—The time for holding said sessions shall be fixed by the Recorder under order signed by him and entered upon the minutes or docket of said court.

Sec. 2055. Juveniles.—All cases against juveniles under the age of fifteen years shall be entered upon a separate docket, and shall be heard and determined in said court, sitting, for the time being, for the especial purpose of trying juveniles, except in cases where said juveniles are jointly accused with persons

older than fifteen years, in which last named contingency said juveniles shall be tried as at present.

Sec. 2056. Authority of Recorder—Final Judgment.—In the trial of the cases herein provided for, the Recorder shall have the right and authority to render final judgment, as provided under existing laws, but in addition to said power and authority, he is hereby empowered to continue cases against such juveniles in his discretion, without rendering final judgment in cases filed against them, and pending such continuance, to retain such cases upon his docket for further consideration and determination.

Sec. 2057. Discretion of Recorder to be Used.—In any case where such continuance is had, it shall be in the power and discretion of the Recorder to set down said case pre-emptorily for trial, and to cause such juveniles to attend said pre-emptory hearing, without additional process than the one first served, and, when so brought before him, to determine the case as a continued case, and to make such disposition thereof as the laws and ordinances of the city direct.

Sec. 2058. Recorder May Dismiss a Case.—In any case, where a continuance is had, as aforesaid, it shall be in the power and discretion of the Recorder to order the pending case dismissed, provided he is satisfied from the conduct of the juvenile accused that such a disposition of the case is advisable, and such accused has given sufficient assurance of good behavior for the future.

Sec. 2059. Probation Officer Appointed by Recorder.—The Recorder shall, from time to time, designate a member of the police force to perform the duties of probation officer, and as such, in addition to the usual duties of a police officer, he shall have special charge of juveniles apprehended under the age of fifteen, and shall fully investigate their history, the nature of the offense charged, their surroundings and such other facts as will enable him to make a proper recommendation as to the disposition of the charges preferred.

Sec. 2060. Duties of Police Department as to Juveniles.—It shall be the duty of the members of the Police Department, in any case where the detention of a juvenile is determined upon by the probation officer prior to the hearing, or by the Recorder after investigation, to detain them in wards, separate and apart from other prisoners, and to prevent contact by them with older criminals, provided, however, this provision shall not be enforced until provision is made for a separate place for the detention of such juvenile offenders.

Sec. 2061. Duty of Probation Officer—Shall Advise With Recorder and Assist Juveniles.—It shall be the duty of the probation officer to take charge of, supervise and control all juvenile offenders of the city; to investigate their circumstances surrounding the charges against them; to advise the Recorder, as often as may be necessary of the conduct of all juvenile offenders; to make such recommendation as he may think proper as to the individual offender, or the general conduct of his department; keep a full and accurate record of all juvenile offenders and their offenses; to make rules and regulations governing reports to him by juvenile offenders, pending the continuance of the case against them, as to their conduct, employment and such other proper requirements as will enable him to advise with, assist and be informed about such juvenile offenders.

Sec. 2062. Police Matron.—The office of Police Matron be, and the same hereby created, the term of which shall be for two years, beginning April 1, 1901, and until her successor is elected and qualified.

Sec. 2063. Requirements—Experience—Intelligence—Character.—Said office shall be filled by a woman of experience, intelligence and strong moral character, who shall be elected by the Board of Police Commissioners at their regular meeting in March, 1901, and every second year thereafter.

Sec. 2064. Duties of Police Matron.—Said Police Matron shall be provided with a suitable apartment at the Police Barracks, and be required to spend such time there as the Board of Police Commissioners may direct, and be subject to call at

any time, night and day. She shall have charge of and minister to all women and children who are taken in charge of or arrested by the police authorities, or who come under the protection or custody of the police department. It is not intended that said women and children shall be under her care as an arresting officer. If they are held for any offense, the police department shall see that they are safely imprisoned. But said Police Matron shall see that they receive such attention as women and children require; she shall advise with and furnish such information as her discretion may suggest, not inconsistent with the rules and regulations adopted by the Board of Police Commissioners. She shall see that no improper persons visit, or improper license is taken with said women and children, and, in short, she shall discharge all the duties that appertain to such office.

Sec. 2065. Subject to Rules and Regulations.—Said Police Matron shall be subject to all rules and regulations adopted by the Board of Police Commissioners which are not inconsistent with this or any other ordinance by the Mayor and General Council.

Sec. 2066. Salary of Police Matron.—Said Police Matron shall receive a salary of Thirty Dollars per month, to be paid during the current year, from a special apportionment to the Department of Police, and after the current year to be paid from the regular apportionment to the Department of Police.

SALARIES ACCORDING TO SERVICE—RETIREMENT —REDUCED PAY-TRIALS—EFFICIENCY

Sec. 2067. Pay According to Years Served—Amount.—The pay of all patrolmen in the department of police, that is the members who do actual and active patrol service, shall be fixed and paid as follows:

For the first year of their service with the city, they shall receive the sum of \$60.00 per month.

For the second year of their service with the city, they shall receive the sum of \$65.00 per month.

For the third year of their service with the city, they shall receive the sum of \$70.00 per month.

For the fourth year of their service with the city, they shall receive the sum of \$75.00 per month.

For the fifth year of their service with the city, they shall receive the sum of \$80.00 per month.

For the sixth year of their service with the city, they shall receive the sum of \$85.00 per month, and after having served as such patrolmen in said department continuously for as long as six years, they shall receive the sum of \$90.00 per month during their service as such patrolmen.

Sec. 2068. No Reduction in Present Pay.—The above provisions shall not operate to reduce any man now serving in the salaries now paid, but, as to them the ordinance shall be prospective except as to those found inefficient as hereinafter provided.

Sec. 2069. Conditioned on Faithful Service—Suspension—Effect.—This increase for each year up to and including the sixth year of service of such patrolmen, shall be conditioned upon the faithful performance of all duties by such officers and, should any patrolman be suspended for as long as thirty days during any year up to and including the sixth year of service, by and under lawful authority, full opportunity having been given for a hearing from such patrolman, then such suspension shall operate as to retain patrolman in the same class or the year following his suspension and for the same pay as for the year in which he was suspended, in other words, such patrolman loses a year in the computation of his compensation under the system herein ordained.

Sec. 2070. Maximum—How Computed.—All patrolmen, as indicated in the preceding section who, on the first day of October, 1910, have served for as long as three years shall thereafter be paid the sum of \$80.00 per month and such compensation shall be increased, as provided by this ordinance for each additional year's service thereafter at the rate of \$5.00 per month until each patrolman shall be paid the maximum sum of \$90.00 per month while serving as an active patrolman.

Sec. 2071. Examination Trial.—The Board of Police Commissioners shall examine into the efficiency of the officers and members of the department of police and, in all cases where they find any officer or patrolman inefficient for any reason, they shall cause a statement of the alleged inefficiency to be served upon such officer or member at least five days before any regular meeting and shall call upon such officer or member to show cause before them at such meeting why the judgment should not herein be entered declaring such officer or man inefficient for the reasons stated. This statement shall be signed by the clerk of the Board of Police Commissioners and a copy served on such officer or patrolman personally, or at the last known address of such officer or patrolman by an officer designated by the chairman of the Board of Police Commissioners. Prior to such hearing, the chairman of the Board of Police Commissioners, or, in his absence the vice-chairman, shall cause such officers and men who have been cited to appear at said meeting, for the reasons above named, to be examined by three competent physicians selected for that purpose by the Board of Police Commissioners, prior to such regular meeting, in time to have the examination completed and report thereof made to such regular meeting.

Sec. 2072. Trial — Method — Physicians Report.—At said hearings, each case shall be called separately, a statement of the cause of inefficiency read, the report of the physicians read, and such additional evidence shall be heard with reference thereto as the Board of Police Commissioners may desire or such officer or member may present.

Sec. 2073. Judgment.—If said Board of Police Commissioners, at said hearing, find any officer or member to do inefficient service for any reason whether by age, disease, injuries or other cause, they shall enter a judgment to that effect on the minutes of the Board.

Sec. 2074. Effect—Light Service—Reduced Pay.—In all cases where such judgment is entered by the Board of Police Commissioners, they shall thereupon place such officer or member at light work in the department, such as policing parks,

cemetery or similar work or at service in and around the police station or elsewhere where active patrol duty is not required and the pay of such officer or men shall thereupon be likewise reduced to the sum of \$45.00 per month, provided, the Board of Police Commissioners are hereby given the authority and discretion to pay the sum of sixty (\$60.00) dollars per month to any more of said reduced patrolmen, as, in their judgment should receive same, if the duty is more active than that indicated in this ordinance for men of this class. It is the purpose of the Mayor and General Council to make this ordinance effective with the beginning of the present calendar year but by reason of the fact that some time will be required to give a full and fair hearing to the officers and members concerned, the compensation of such officers and men who are found inefficient, and herein provided shall not be reduced for the month of January, 1910, or up to the 15th of February, 1910, payable monthly, but such reduction shall begin with the 15th day of February, 1910, and shall continue thereafter while such officers or men are doing such service as herein provided.

Sec. 2075. Continue as Members of Department—Subject to Orders.—Such officers and men, as are found inefficient as herein provided shall continue as members of the department of police, and shall be subject to perform such duties as their strength will permit and shall be subject to the orders of the Board of Police Commissioners at all times.

CHAPTER LXXI.

POWDER

Sec. 2076. Powder—Minimum Amount to be Kept—How Kept—Penalty for Violation.—No merchant, or other person, shall, within the City of Atlanta, keep in any house, or over night, except in a public warehouse, more than one keg of powder at a time, which shall be kept in a tin can; and for a violation of this ordinance the offender may be fined not exceeding one hundred dollars and costs, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2077. Must Have License to Sell Gun Powder—Fees Go Into City Treasury—Penalty for Violation.—It shall not be lawful for any person or persons to sell gunpowder without first having procured a license from the Clerk of Council, who shall receive a fee of fifty cents for each and every license granted for the term of one year; and any person or persons selling without first having obtained such license, shall, on conviction before the Recorder's Court, pay a fine of one hundred dollars and costs of trial, for each and every day the party so convicted shall have violated this ordinance, or be imprisoned not more than thirty days.

Sec. 2078. Mode of Procedure to Obtain License—Bond.—When any person desires to sell powder as a part of his or their business, all such persons shall first petition the General Council for a license, and accompany such petition with the names of three of his or their neighbors, where powder is to be sold, signifying their willingness; and such applicant shall give bond and security in the sum of five hundred dollars, that he will not violate any ordinance relating to the sale of powder in Atlanta.

Sec. 2079. Council May Refuse Permission.—When application is made in writing to Council, it shall be competent for the

Board to grant or refuse license, if, in their opinion, the applicant or bondsman is not responsible, or in any way disqualified for such trade or traffic in gunpowder.

Sec. 2080. Shall Display Sign—Penalty for Failure.—All persons licensed to sell powder shall be required to place a sign over their place of business, as follows: "Licensed to sell powder," and shall keep their powder in a long necked tin can. Anyone violating this provision shall be fined, on conviction, not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

CHAPTER LXXII.

PRISON—PRISONERS—PRISON COMMITTEE—PRISON
COMMITTEE IN CHARGE STOCKADE PRISON-
ERS, HOW KEPT AND WORKED—SUPERIN-
TENDENT—POWERS AND DUTIES. PHY-
SICIANS, DUTIES, BONDS, EXAM-
INATIONS.

Sec 2081. Prison Committee Controls City Prison, Stockade, Grounds, Prisoners.—The city prison, the city stockade and grounds connected with the same, city convicts and all employees connected with the city prison, city stockade and city convicts and the building and grounds connected therewith, except the stables at the city stockade and horses and mules, feed and employees in charge of the stables, horse, mules and feed, be and the same are hereby placed under the control, supervision and management of the Committee on Prisons. This control, and the supervision shall include not only such officers as now exist and such employees as are now employed by the city but such additional officers and employees as may hereafter be furnished by the city to control such prison, convicts, grounds, etc., including the proposed office of Superintendent of City Prison and the city prison physician.

Sec. 2082. Rules, Management, Hours, Work, Prison, Grounds.—Said committee shall formulate rules for the control and management of the city prisoners, the hours and method of work of the employees and the regulation of the prison and other buildings and of the grounds under their charge.

Sec. 2083. Food.—1st. They shall prescribe the character and quantity of food to be furnished prisoners, and

Sec. 2084. Clothing—Clean—Worn—Custody.—2nd. The character and quantity of clothing to be furnished and the means

to be used whereby such clothing shall be kept clean and how same shall be worn, as well as the care and custody of the clothing of the prisoners during their confinement in the city prison, and,

Sec. 2085. Bedding.—3rd. The quantity of bedding to be furnished city prisoners and how same shall be kept clean and sanitary, as well as how same shall be used by the prisoners.

Sec. 2086. Sanitation—Waterclosets—Whitewashing—Lime.
4th. They shall supervise and control the general sanitary conditions of the stockade, such as the location and use of waterclosets, the cleaning of floors and the whitewashing of walls and the furnishing of lime for such portion of the city prison, other buildings and grounds as may be necessary to secure health.

Sec. 2087. Shackling, Sterilization, Separation of Prisoners.
—5th. They shall prescribe the time and method of shackling prisoners and what prisoners shall be shackled, and how the shackles shall be worn, providing for the sterilization of shackles when removed from one prisoner before being placed upon another; like rules, with reference to separation of healthy and unhealthy prisoners at night, or when the beds are changed, or in custody of clothing, etc.

Sec. 2088. Discipline, Guards, Order, Punishment, Records.
—6th. They shall prepare and promulgate full and complete rules, regulations concerning the discipline of prisoners in and about the city prison, and requiring the guards, in control of such prisoners to keep order, especially in the large main room provided for colored prisoners while such prisoners are in the city prison, and to prevent gambling, fighting and cursing among the prisoners and other disturbances. Such rules shall undertake to govern, as far as possible, the methods of punishment, time and infliction of same, and extent of the punishment and the parties of guards by which such punishment shall be inflicted and the records be kept of same.

Sec. 2089. Additional Rules.—7th. Such other and further rules and regulations shall be added as may, from time to time, be deemed advisable by the committee and as experience may suggest or change of condition require.

Sec. 2090. Superintendent, Term, Salary, Nominations, Election—Authority.—The office of Superintendent of City Prison is hereby created to be elected by the Mayor and General Council at the first meeting following the approval of this ordinance, except that the committee on prisons, of the General Council, shall have the exclusive right of nomination and, in case one nominee is rejected, then said committee shall report another and so on until one is finally elected by the General Council. This officer shall be elected for a term of one year, to begin at the date of his election, and is to be paid a salary of eighteen hundred dollars per annum, payable in monthly installments, and the committee is hereby required to nominate some man competent, efficient, of sound discretion and of humane feeling. Said superintendent shall be held absolutely responsible for all conditions at the city prison, in the other buildings connected therewith, and upon the grounds around same as far as herein placed under the jurisdiction of the Committee on Prisons, subject to the rules and regulations provided by the said committee. He shall have entire control of all guards and other employees in the city prison, and the buildings connected therewith, and of the grounds as above described, subject to the rules and regulations of the committee aforesaid. He shall be responsible for the discipline existing within the city prison, in other buildings and grounds connected therewith, as herein described and also for the sanitary conditions at said place.

Sec. 2091. Whipping—Weekly Reports—Contents.—No prisoner shall be whipped except upon his order and under his personal supervision and he alone shall decide the extent and nature of the punishment and after examination by city prison physician. Both the superintendent and foreman, if any under whom the convict works, if the cause for the whipping occurred while outside the city prison, shall be present at the time the punishment is inflicted. Reports weekly in detail shall be made to the committee on prisons of all the conditions existing at the stock-

ade, with reference to the city prisoners, connecting buildings and grounds, showing briefly the history of same during the preceding week, including such things as the number of prisoners, sex, disorder, whipping, cause and extent of whippings, health of prisoners, complaints, care and changes of food, conditions of clothing and bedding and buildings as to cleanliness, sanitation, etc.

Sec. 2092. Inspections—Committee Makes—Monthly.—The Committee on Prisons shall make personal inspections of city prisons, outlying buildings and grounds and also of the city prisoners, and these inspections shall not be less than once a month and same shall be thorough, complete and exhaustive as to all the matters covered by this ordinance.

Sec. 2093. Prison Physician—Term—Nomination—Election—Duties.—The office of city prison physician is hereby created at a salary of Twelve Hundred Dollars per annum, payable monthly. Said physician is to be nominated by the Committee on Prisons subject to confirmation by Mayor and General Council. The term of office shall be for one year, from date of election, and he shall be elected by vote of the Mayor and General Council, as other officers are now elected by that body, at the first meeting following the approval of this ordinance. He shall give his entire time to the city prison, police station or barracks, and all prisoners while in charge of any of the officers of the city, especially the prisoners at the city prison and while at work upon the streets, going to and from their work, or wherever they may be. The purpose being that he shall give his immediate and full attention to the physical condition of these city prisoners so that they may not be used, worked, or treated in any manner except such as may be humane and consistent with their physical condition. He shall examine all prisoners when taken to the city prison or stockade and, as frequently thereafter as may be necessary, to ascertain if they are suffering from any infectious or contagious disease and it shall be his duty at this prison to see that no healthy prisoner shall be furnished or occupy a bed previously occupied or furnished to a diseased prisoner, until cleansed or sterilized, nor shall such healthy pris-

oner be furnished with or use eating or drinking vessels previously used by diseased prisoners. The physician shall make such inspections as to secure the frequent washing of blankets, bedding, clothing of prisoners and the cleansing of building and closets, and of the compartments and furnishings thereof and see that same are kept in a healthful and sanitary condition. The city prison physician shall report and confer with the superintendent of city prisons, but, in case of any disagreement between them, all such disagreements shall be immediately referred to the Committee on City Prisons, whose decision shall be final.

Sec. 2094. Disagreements, Who Decides.—In case of disagreement between said physician and the police authorities, concerning prisoners at police station, the Police Board shall finally decide.

CHAPTER LXXIII.

RAILROAD COMPANIES—DUTIES AS TO FLAGMEN—
CROSSINGS, ETC.

Sec. 2095. Flagmen—Number Maintained—Speed of Trains—Limit—Penalty for Violation.—It shall be the duty of the railroad companies using the tracks across Whitehall, Forsyth, Castleberry, Pryor, Loyd, Simpson, Thurmond, Foundry, Peters and Mitchell Streets, in the City of Atlanta, to place and keep a sufficient number of flagmen at said crossings, whose duty it shall be to prevent all railroad-trains passing said streets from going at a greater rate of speed than four miles per hour; and further to protect the lives of persons passing along the streets at the points mentioned. All railroad engineers or firemen, who drive or run an engine or train across said Whitehall Street, or across Pryor, Loyd, Peters, Mitchell or Foundry Streets in said city, at a greater rate of speed than four miles per hour shall be deemed guilty of a violation of this section and upon conviction thereof before the Recorder's Court shall be punished by a fine of not less than twenty dollars, nor more than one hundred dollars, or imprisonment not to exceed thirty days.

Sec. 2096. Official Orders Shall not be Issued Violating This Ordinance—Official Doing so Liable—Penalty.—Any railroad officer or official, who shall issue, or cause to be issued, any order providing for the passing of engines or trains over the streets mentioned above at a greater rate of speed than four miles per hour shall be fined by the Recorder's Court fifty dollars for issuing said order, and twenty-five dollars for every day that such order shall remain unrevoked. And in default of the payment of such fine the officer shall be punished by imprisonment in the station house not to exceed thirty days.

Sec. 2097. Flagmen Have Police Powers—Shall Arrest Disorderly Persons—Prefer Charges, Etc.—It shall be the duty of

the flagman to flag each passing train as it approaches and leaves Whitehall Street; and said flagman shall be clothed with all the powers of policemen for the purpose of arresting any and all persons violating the provisions of this ordinance. And it shall further be in their power, and their duty, to arrest all persons endeavoring to rush ahead of passing trains, in a disorderly manner, and to prefer charges at the station house against such person, who shall be tried by the Recorder's Court, and, if found guilty, may be fined in a sum not exceeding one hundred dollars, or imprisonment not to exceed thirty days, in the discretion of the Court. •

Sec. 2098. Getting on and off Trains Prohibited—Fine—Conductors Clothed with Police Powers.—All persons connected with railroad trains, "including street cars and dummy lines," are prohibited from getting on or off the engine or cars within the city, unless for the bona fide purpose of taking passage on the same, and all offenders shall be arrested by any special or other policemen of this city, and, on conviction, shall be fined not exceeding five dollars, or be imprisoned not exceeding twenty-four hours, in the discretion of the Recorder's Court. Any person, not a bona fide passenger, jumping on or swinging to or getting off a moving train in said city shall be subject to same punishment. The conductors of such railroad trains, and the conductors or drivers of such street railroad cars or dummy lines, shall be clothed with all the powers of policemen, for the purpose of arresting any and all persons violating the provisions of this ordinance, or any part thereof.

Sec. 2099. Special Policemen—By Whom Recommended—and Appointed—Duties—Serve Without Expense to City—Limit of Requirement of Ordinance.—The Board of Police Commissioners is authorized to appoint and empower as special policemen a sufficient number of the employees of each railroad company, whose names shall have been furnished the Board by such company, to enforce the above ordinance; and said special policemen shall, in every instance, serve without expense to the city; such authority shall cease, whenever such employee ceases to be an employee of the railroad presenting his name to the

board, or whenever revoked by the board; provided, however, that nothing in this ordinance shall be construed so as to interfere with persons meeting friends, or seeing them off the train or cars, when the same are not in motion.

Sec. 2100. Loitering Around Railroad Track Prohibited—Arrest—Penalty.—It shall be unlawful for persons under age to play and loiter about and upon the railroad tracks and shops within the city, and, if doing so, may be ordered away by a special policemen or other policemen of this city, and, if they refuse to leave, may be arrested by said policeman, and shall, on conviction, be fined not exceeding five dollars and cost or be imprisoned not exceeding twenty-four hours for such offense, in the discretion of the Recorder's Court.

Sec. 2101. Whistling of Locomotive Within Corporate Limits—Penalty—Exceptions—Provisos—Permits for Using Streets—Building Across Streets, Alleys or Squares—Application for Permission—Power of Council.—Any person operating any locomotive engine, who shall blow the whistle thereof within the corporate limits of the city, shall, on conviction in the Recorder's Court, pay a fine of not more than one hundred dollars, or be imprisoned not longer than thirty days; provided it shall not be unlawful for engineers to blow the whistles of their engines as they approach Bellwood crossing as they are going out of the city, provided, further, that it shall not be unlawful for engineers operating locomotives drawing passenger trains to blow the whistles of their engines for the purpose of preventing accidents, and where it is necessary to thus signal the engineers of opposing trains of the approach of the said passenger train or any section following same. Any railroad company, that may desire to lay down any railroad track, or tracks, along or across any street, public alley, or square within the corporate limits of the city, shall, before doing so, present in writing to the General Council an application for permission to do so, which application shall show the streets, alleys, or squares, which they desire to cross, or run upon, and to what width or length, and at what grade. If the General Council shall require, the engineer of the city shall make an examination, and report what changes the proposed work will make to such streets, alleys, or squares as

will be affected thereby, and whether the proposed plans are proper and satisfactory. Said body may authorize, modify, or reject and refuse the application, as may, in their judgment, be for the best interest of the public.

Sec. 2102. Penalty for Violation.—Any person or persons, who shall enter upon any street, alley, or square, within the city, and do any work thereon, either by excavating earth, or by laying cross-ties, stringers, rails, or otherwise, for the purpose of constructing railroad track or tracks along, across, or upon the same, without first making application to and obtaining the consent of the Mayor and General Council, shall, upon conviction, be fined not more than five hundred dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the Recorder's Court. -

Sec. 2103. Speed of Train—Penalty for Running Faster Than Six Miles in the City.—Any engineer or other person in charge of an engine, with or without cars attached, who shall run the same through any part of the city at a greater rate of speed than six miles an hour, shall, on conviction, be fined not more than five hundred dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 2104. Trains Cannot Obstruct Streets Longer Than Three Minutes—Passenger Trains Five Minutes—Penalty for Violation.—Any conductor, engineer, or other employee of any railroad company, having tracks running across the public streets of this city, who shall obstruct said streets or prevent the passage of vehicles and pedestrians longer than three minutes at any one time, shall on conviction be fined not more than one hundred dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the Recorder's Court, for each offense; provided, however, that passenger trains shall be allowed to obstruct street crossings not exceeding five minutes.

Sec. 2105. Yonge St. Crossing.—Railroads crossing Yonge Street shall maintain at their own expense, a watchman, at all hours, except between 11 P. M. and 5 A. M.

Sec. 2106. Pearl and Powell Street Crossing—Watchman Required—Between What Hours.—The Georgia Railroad and Banking Company shall keep and maintain a watchman at the intersection of its tracks with Pearl Street and said watchman shall be maintained and kept at said intersection, known as Pearl Street crossing from six o'clock A. M. to six o'clock P. M. each day.

Sec. 2107. Shall Not Operate Trains There Without Watchman—Penalty.—It shall be unlawful for said railroad company, its agents or employees, to run or operate a locomotive on or over said crossings, between said hours, unless a watchman is maintained and kept during said hours, on said crossings, and any agent, engineer, brakeman, flagman, conductor, or other employee of said railroad, who shall be convicted in the Recorder's Court of running or operating, or assisting in running or operating of a locomotive on or across said crossings during said hours, in the absence of the maintenance of a watchman, as herein provided, shall be punished by a fine not exceeding one hundred dollars or imprisoned in the station house, or stockade, not exceeding thirty days, or both these penalties in the discretion of said Court.

Sec. 2108. McCall's Crossing—Watchman Required.—The railroads shall maintain a watchman, day and night, at the place where their tracks cross the street at what is known as McCall's crossing. This ordinance applies to the railroads having tracks on said crossing.

Sec. 2109. After Watchman Required, Must be Kept There—Cannot Operate Trains Without Such—Penalty.—It shall be unlawful for any railroad company to run trains over any crossing of any street and the railroad tracks of said company after being required to station a watchman at such crossing without placing and keeping such watchman stationed there. A violation of this ordinance shall be punished on conviction thereof by fine of not more than one hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 2110. Discharging Freight on Railroad Crossings—Companies or Shippers Liable—Penalty.—It shall not be lawful to discharge cars loaded with any character of freight whatever, by drays, at Whitehall, Lloyd, or Pryor Street crossings, or in any manner obstruct said crossings or sidewalks. Shippers will be held liable for all cars consigned to them, and placed on side-track at the south end of the passenger depot for their benefit, who will be required to see that their cars, loaded or empty, do not obstruct said crossings or sidewalks. Any railroad company, through its hostlers, switchers, conductors, or other employees, shippers or consignees, private or public draymen, violating this section shall, on conviction, be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2111. Switching Prohibited on Certain Crossings Within Certain Hours—Penalty.—It shall be unlawful for any railway company or corporation, or the agents of any railway company or corporation, to shift, switch, or make up trains of cars, or run cars or engines over Whitehall, Pryor, Lloyd, or Mitchell Street crossings, between the hours of 6 A. M. and 10 P. M., and any railway company or corporation, or any of its agents, violating the provisions of this ordinance, shall, upon conviction before the Recorder's Court, pay a fine of not less than one hundred dollars, nor more than five hundred dollars, for each offense; provided, that nothing herein contained shall be construed to prevent passenger trains from entering or departing from the Union Depot, or from transferring loaded or empty freight cars to connecting roads, or to prevent the delivery of through freight or of local freight to consignees having side track privileges, but at no time shall any car or engine pass over the above named crossings between the hours of 6 A. M. and 10 P. M., without being preceded by a flagman.

Sec. 2112. Regulation of Movements at These Crossings—Penalty for Failure to Observe Same.—When two or more engines or cars are approaching either of the above-named crossings at the same time, all but the one car nearest the crossing shall come to a dead stand, and remain so until the first has completely cleared the crossing, and so on until all engines or cars

have passed. This shall not apply to regular passenger trains going into and out of the Union Depot; provided that only one train shall be in motion at the same time. Any engineer or agent being in charge violating the provisions of this section, shall, upon conviction before the Recorder's Court, be fined not less than twenty five dollars, nor more than one hundred dollars, for each offense, and upon failure to pay said fine shall serve not less than ten days, nor more than thirty days, on the public works.

Sec. 2113. No One Shall Pass Between the Flagman and the Train—Penalty for Violation.—It shall be unlawful for any person to pass or attempt to pass between the flagman and the engine or cars that he is preceding, over any of the above-named crossings. Any person violating this section shall, upon conviction before the Recorder's Court, be fined not less than five dollars, nor more than twenty-five dollars, nor serve not less than five days, nor more than twenty days, on the public works.

Sec. 2114. Stone Posts to be Placed by Railroad at Each End of Dividing Line.—The Central of Georgia Railway Company shall place a stone post at each end of said dividing line, so as to enable the police officials to detect any violation of this ordinance.

Sec. 2115. Regulations as to Sunday Switching.—It shall not be unlawful for the several railroads entering said city to switch freight trains arriving in said city after midnight on Saturday night up to eight o'clock on Sunday morning; nor shall it be unlawful for such railroads to switch freight cars containing live stock or perishable freight at or after the hour of ten o'clock Sunday night.

Sec. 2116. Certain Hours, No Switching Within 250 Yards of Churches.—No railroad cars shall be switched in said city, other than passenger or perishable freight cars, on the Sabbath day, between the hours of 11 A. M. and 1 P. M., and 7 P. M. and 9 P. M., within two hundred and fifty yards of any church, when divine services are being conducted.

Sec. 2117. Penalty for Violation.—Any person violating this ordinance shall on conviction in the Recorder's Court be fined not more than one hundred dollars, or confined at labor on the public works of said city not more than thirty days.

Sec. 2118. Whitehall Street Crossing—West End—Watchmen—How Many.—Only one watchman is required at said Whitehall Street crossing.

Sec. 2119. Hours Fixed for Watchman at Whitehall Crossing.—The ordinance heretofore passed in reference to keeping watchman at crossing of railroad on Whitehall Street, at intersection of Peters Street, is so amended as to require said watchman to remain at said crossing from November 1st to May 1st from 7 A. M. to 6:30 P. M., and from May 1st to November 1st from 8 A. M. to 8 P. M., on every day except Sunday.

Sec. 2120. Flagman at McDaniel Street Crossing Required.—The Central of Georgia Railway Company and the Atlanta and West Point Railroad Company are hereby required to place a flagman at the crossing of McDaniel Street, over the tracks of said railways, from 6 A. M. to 6 P. M.

Sec. 2121. Sunday Hours for Whitehall Crossing Flagman.—The several ordinances prescribing the duties of flagman at the railroad crossings are hereby amended with reference to flagmen employed at the Whitehall Street crossing of the Central Railroad, about the former line between West End and Atlanta, as to only require the flagmen at that crossing on Sunday to be, and remain on duty from 9 o'clock A. M., until 1 o'clock P. M.

Sec. 2122. Kicking of Cars Prohibited.—(Later amended below.) It shall be unlawful for any railroad company, its agents, servants, or employees, to switch or shift their cars across the streets of Atlanta where same pass over the right of way and tracks of such companies, making what are known as street crossings by the process known as "Kicking," namely: By sending car or cars over such crossings without having attached thereto an engine or engines, such cars being forced over the crossings by having been put in motion prior thereto by an en-

gine, and being uncoupled, to run over ~~at all~~ crossings, without having an engine attached thereto.

Sec. 2123. Penalty for Violation.—Any railroad Company, its conductors, engineers, agents, or other employees, who shall violate this ordinance, shall on conviction in the Recorder's Court be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, one or both, in the discretion of the Recorder.

Sec. 2124. Amending Ordinance as to "Kicking" Cars—Not to Apply However to Certain Crossings.—The ordinance approved April 4th, 1901, which prohibits railroads and their employees from "kicking" cars across street crossings is limited and restricted to such car or cars as are "kicked" across street crossings, without sufficient brakes in charge of an experienced brakeman on front end of car being kicked so that said cars may be stopped in case of danger, provided that said railroads have taken the additional precaution to maintain a watchman at such crossings. The provisions of this ordinance do not apply to the crossings on Central Avenue, Pryor and Forsyth Streets.

Sec. 2125. Jumping On or Off Trains at Piedmont Park Prohibited—Penalty.—It shall be unlawful for any person to jump on or off a moving train at Piedmont Park, and any person convicted before the Recorder's Court of violating this section, shall be punished by a fine not exceeding one hundred dollars, or imprisoned in the stationhouse or stockade not exceeding thirty days, or both these penalties, in the discretion of the Court.

Sec. 2126. Railroads to Build and Repair Bridges and Crossings—When—Notice to Company—By Whom.—In all cases in which a railroad Company, or street railroad company, is required to build bridges in said City, or to keep bridges or crossings in said city in repair, on or across a street, or streets crossed by the tracks of a railroad company, or a street railroad company, such railroad company shall, when the building of a new bridge, or the repair of a bridge already built, is declared by the Mayor and General Council of said City to be necessary or proper, be notified by the Chief of Construction to commence the building

of said bridge within ten days, and prosecute the same in good faith to completion. That when in the judgment of the Committee on Streets and Chief of Construction of said City any such bridge or crossings shall be in need of repair or work to render it safe, such railroad Company or street railroad company shall be notified by said Chief of Construction to commence the repair thereof or work thereon within ten days, and prosecute in good faith such repair or work to completion.

Sec. 2127. Notice Served by Chief of Construction or Assistant—Contents.—The notice provided for in the preceding section shall be in writing, and served by the Chief of Construction or his assistant, on the principal officer of any such railroad company, or street railroad company in said city, or by leaving the same at the principal office of such company in said City. Said notice shall contain a general plan and character of the bridge to be built or repaired, and materials of same, or description of work to be done at a crossing, as also a reference to the subject matter of following section.

Sec. 2128. If Railroad Company Fails or Refuses, City to Do Work, and Issue Execution.—Should a railroad company or street railroad company so notified as above; fail or refuse to commence in good faith the building or repairing of a bridge or the repairing of a crossing within the time specified in said notice, and in accordance with the foregoing provisions, or notify said City of a refusal to comply with the notice served, then, and in that event, said City will proceed and do such work of building or repairing such bridge or crossing at the charge and expense of such railroad Company or street railroad company, and within five days after the completion of said work by the City, the Chief of Construction shall report under oath in writing to the City Clerk of said City the amount and value of the services performed or expense incurred in said work, whereupon said city shall issue execution (as other executions are issued by said City) for the amount of such value or expense and the costs of the proceeding against such defaulting railroad Company, or street railroad company by said city; said notice to be in writing signed by the City Clerk, and served in the manner prescribed in the preceding section by the City Marshal or Messenger.

Sec. 2129. Street Car Track Crossings—How Constructed—Penalty for Violation.—All street railroad companies operating lines of railway in the City of Atlanta be, and they are, hereby required to close all openings in the street beside their tracks with asphalt, so as to make such street level and safe for the passage of vehicles along or across such tracks. A violation of this ordinance, or a neglect to so close these openings within ninety (90) days from the passage of this ordinance, as to tracks already laid, shall subject the offenders, on conviction, to a fine not exceeding one hundred dollars, in the discretion of the Recorder's Court.

CHAPTER LXXIV.

REGISTRATION OF VOTERS—REGULATIONS.

Sec. 2130. Registration Necessary to Vote in Municipal Elections.—No person shall be allowed to vote at any municipal election in the City of Atlanta, who shall not have qualified and caused himself to be registered as a voter in the manner herein-after prescribed.

Sec. 2131. Tax Collector to Register Voters—To Be Sworn on Printed Blanks—Oaths to be Preserved and Books Made from Them—Names and Places of Residence Shown on Lists.—It shall be the duty of the Tax Collector of Fulton County or his assistant to register the qualified voters of said City as they pay their taxes annually. For this purpose, he shall have prepared printed blanks, containing the oath required of voters proposing to register, in the form prescribed in this ordinance; and it shall be his duty to administer to such tax-payer wishing to register the required oath; and the voter shall subscribe to said oath in the presence of such collector or his assistant, who shall preserve all of said affidavits, and from them shall compile a book for each Ward, showing the names and residences of the qualified voters for each Ward, giving streets and numbers, or if no number, then giving the streets on each side. If on an alley, giving streets on each side, or nearest numbers on street in front.

Sec. 2132. Lists Close November 25th.—Only the names of those taking such affidavit by the 25th day of November in each year shall be placed on the registration books as aforesaid.

Sec. 2133. Shall Register and Who are Qualified.—The Collector or his assistant, shall also register qualified voters taking the prescribed oath, even if they do not pay, or offer to pay the taxes of the current year, and place their names on the books of their respective wards, as provided for the preceding sections.

Sec. 2134. Oath of Registration—Form—Qualifications of Voters.—The oath to be required of all voters registering their names shall be in the following form, to-wit:

QUALIFICATIONS CLAIMED	OATH OF VOTERS
	<p>THOMPSON, William George</p> <p>I do solemnly swear, that I am a citizen of the United States; that I am twenty-one years of age; or will be on the _____ day of _____ at this instant; that I have resided in this State _____ years; and in this County for six months immediately preceding the day of this oath; or will have so resided on the _____ day of _____ of this calendar year; that I have paid all the taxes which I owe; the adoption of the Constitution of 1877; have been qualified of the, ex-officio, for this year; that I possess the qualifications of an elector required by the Constitutional Amendment adopted in 1901; and that I am not disfranchised from voting by reason of any offense committed against the laws of the State; I further swear, or affirm, that I am a citizen of Atlanta and reside in the _____ ward of the City of Atlanta, at No. _____ on _____ Street, or in the _____ of _____, D. C. M.; my age is _____ my occupation is _____</p> <p>Sworn to and subscribed before me this _____ day of _____ 19____</p> <p style="text-align: right;">_____ Registrar.</p> <p>(Sign here) _____</p>
1. SOLDIER	
2. DESCENDANT OF SOLDIER	
3. GOOD CHARACTER AND KNOWLEDGE OF DUTIES OF GOOD CITIZENSHIP	
4. EDUCATIONAL	
5. PROPERTY	

The right to register and vote in all city elections is defined in Paragraphs 2, 3 and 4, and in subdivisions 1, 2, 3, 4 and 5, of Paragraphs 4, of Section 1, of the act of the General Assembly of Georgia approved August 21, 1907, and the Registrar for the City of Atlanta is directed to observe same in the registration of voters in all city elections upon the terms named in said Act approved August 21, 1907.

Sec. 2135. Fulton County Tax Collector Made City Registrar—Salary.—The Tax Collector of Fulton County is hereby appointed and constituted Registrar of voters for municipal elections to be held hereafter in the City of Atlanta, and his salary

as such is fixed at \$400.00 per annum, payable in quarterly installments.

Sec. 2136. Voters to Take Oath as Above—May Register When—Registrar to Furnish Printed Lists, etc.—All voters registering for any such municipal elections shall take and subscribe before such Registrar the oath prescribed by the above section in this Chapter, such oaths to be made upon slips or blanks prepared in accordance with the section above in this chapter, and from such slips, said Registrar shall prepare separate books of registered voters living in each ward of said City, and upon the closing of such books of registration previous to any election, such Registrar shall furnish twenty-five printed lists of such registered voters for each ward to the Clerk of the Council, for use of Managers of Election, which lists shall be furnished at least two (2) days prior to any such election, at the expense of the City. All voters eligible for registration shall have the right of registration, not only at the time of paying taxes, but upon taking the prescribed oath at other times as provided for by preceding sections in this chapter of this Code.

Sec. 2137. Registration Books—How Long Kept Open—Special Elections—Books Opened When—Closed When.—The books for such City registration shall be kept open until and including the 25th day of November, in each year, and then closed, as provided for in a preceding section of this Chapter of this Code, but in case of special elections to fill vacancies, or on the issue of bonds, or otherwise, such books of registration shall be kept open until ten days before the date of such election, and then closed.

Sec. 2138. Only Persons Registered Can Vote.—No person shall be authorized or permitted to vote in any general or special election ordered in said City unless duly registered in the books herein authorized to be kept, and all persons so registered shall be authorized and permitted to vote in any election unless challenged and rejected for legal cause, at any election.

Sec. 2139. Transfer of Voter's Name on Removal.—The transfer of a voter's name, in case of removal from one ward to another in said City, shall be made by said Registrar.

Sec. 2140. Books Not Open on Sunday—Hours During Last Six Days—When Books Closed.—The books for registration of voters shall be kept open during office hours of the Tax Collector; provided that the books for registration shall not be kept open on Sunday, and shall not be closed earlier than 9 o'clock P. M. on the last six days, and shall not be closed more than ten days before any election, in which registration is required.

Sec. 2141. Consolidated Lists—Shall Certify Number of Voters—When.—It shall be the duty of the Registrar of voters for the City to consolidate the names of the voters for each ward, and then count the numbers of registered voters and certify the same for each ward to the Mayor and General Council at the first meeting after the close of each registration, and it shall be entered on the minutes of the Council.

Sec. 2142. As to Voters in Elections to Fill Vacancies.—No person shall be allowed to vote in any election to fill a vacancy, or for other purposes, unless his name appears properly registered, qualifying him to vote at the last regular municipal election, or unless he shall have registered before such election to fill vacancy.

CHAPTER LXXV.

RESTAURANTS.

Sec. 2143. Restaurants—Sell to Whites or Blacks—Not Both.

—All persons, their agents or employees, licensed to conduct a restaurant or lunch-room, shall serve either white people exclusively or colored people exclusively and not sell to the two races within the same room or at different tables within the same room, or at different portions of the same table within the same room or serve the two races anywhere under the same license. The purpose of this ordinance being that each license shall serve either one race or the other and the license shall not authorize sale to the two races named at or near the same place.

Sec. 2144. Restaurants to Display Sign of Race Served—

Each license shall display, prominently in front of their place of business thereof, a notice as follows: "Licensed to serve white people only" or "licensed to sell colored people only" so that the public may be informed of the character of trade served at such place.

Sec. 2145. License Shall Designate Race to be Served.—

The Clerk of Council in issuing licenses for restaurants or lunch rooms shall designate therein the character of trade authorized to be served under such license as "for white people only" or "for colored people only."

Sec. 2146. Penalty.—

Any person, firm or corporation, their agents or employees, serving meals or lunches, in violation of this ordinance, or violating any of the terms of this ordinance, shall be deemed guilty of an offense and on conviction thereof in the Recorder's Court shall be fined not exceeding One Hundred Dollars or sentenced to work on the public works of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2147. Violation Revokes License Ipso Facto.—A violation of the provisions of this ordinance by any licensee, their agents or employees shall ipso facto work a forfeiture of their license. Also, the conviction in the Recorder's Court shall likewise ipso facto work a forfeiture of this license. Any sales or business done after the forfeiture, as herein provided, shall constitute an offense punishable as provided in the preceding section.

CHAPTER LXXVI.

SANITARY TAX.

Sec. 2148. Sanitary Assessment—Amount—When and On What Levied.—An assessment of three dollars shall be levied each year upon each improved lot and the owner thereof within the City limits for sanitary purposes.

Sec. 2149. What Constitutes a Lot for Sanitary Assessment.—Each lot having a residence thereon, or a storehouse, or each separate tenement, where there are more than one, or each twenty-five feet of any hotel, manufactory, depot or machine shop, shall constitute a lot for said purpose.

Sec. 2150. Sanitary Inspectors Furnish Lists of Lots Liable to Tax Assessors—Tax Collector Collects Taxes.—The Sanitary Inspectors shall, by the first day of February of each year, furnish to the Tax Assessors a full list of lots and lot owners throughout the City liable for sanitary taxes, which shall be entered by the Tax Assessors upon the tax digest, and the Tax Collector shall collect such sanitary taxes at the same time, and in the same manner that other property taxes are collected.

CHAPTER LXXVII.

SANITATION—SANITARY PLUMBING—DRAINAGE

Sec. 2151. Lots and Cellars to Be Drained—Penalty for Failure.—All lots and cellars within the City limits shall, by their owners and occupants, be kept in such condition as not to allow any water to stagnate, or otherwise become offensive or unhealthy, or any other nuisance to exist thereon; and, upon conviction of a violation of this section, such owners or occupants, upon conviction in the Recorder's Court, may be fined not exceeding ten dollars, or imprisoned not exceeding ten days, for each day such nuisance exists after the notice hereinafter provided for has been served.

Sec. 2152. Nuisances from Stagnant Water—How Abated—Penalties.—The Marshal, or Deputy Marshal, or any policeman or sanitary inspector, shall give said owners or occupants written notice of the existence of said nuisances, and after three days from the time of said notice, the Marshal shall proceed to abate the nuisance by draining said lots and cellars, or otherwise, as may be necessary; and the Clerk of Council shall issue execution for the costs of such abatement against said owners or occupants, and the lot, on which such nuisance may exist.

Sec. 2153. Filth from Privies—How Disposed of—Penalty for Violation.—It shall be unlawful for any person to convey, discharge, or deposit the filth of his or her privy, or allow the same to be done, upon the streets of the City, or the property of another person; but it may be discharged by any private sewer into any public sewer discharging into running water. Any person violating this section shall be arrested, and, upon conviction, fined by the Recorder's Court in a sum not exceeding ten dollars and costs for every day, or twenty days' work upon the chain-gang, if such nuisance so committed continues; and the nuisance.

if not abated by the offender, shall be abated by the Marshal at the offender's expense.

Sec. 2154. Obstructing Water—Unlawful—Penalty—Exceptions.—Any person, who shall by the erection of a dam, or obstruction of any kind, prevent the natural flow of water, and cause the same to be dammed up, or collected in pools upon any lot in this City, or any street or alley, or shall cause to be done any work, the effect of which will be to cause such damning up or collection in a pool or pools, shall be arrested and brought before the Recorder's Court, and, upon conviction, shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned not to exceed thirty days, or either, or both, in the discretion of the Recorder's Court, for each day such obstruction shall remain, or such work shall be carried on; provided that the above shall not prevent owners, or others, from filling up lots as they may desire, if sufficient drainage or surface is provided through or across the same for such natural flow; and, provided, that the above shall not prevent the changing of the grade of any street as may be for the public interest.

Sec. 2155. Plumbing and House Drainage—Rules Prescribed by Board of Health.—All plumbing and house drainage, in both public and private buildings within the City of Atlanta, shall be done according to the rules and specifications herein contained, and it shall be the duty of the Board of Health to provide regulations to insure the enforcement of this ordinance.

Sec. 2156. Material and Workmanship.—All materials shall be of good quality and free from defects; the work shall be executed in a thorough and workmanlike manner.

Sec. 2157. Soil and Waste Pipes and Traps—Location.—The arrangement of soil and waste pipes shall be as direct as possible.

Sec. 2158. Drain, Soil, and Waste Pipes Exposed for Inspection.—The drain, soil, and waste pipes and the traps shall, if practicable, be exposed to view for ready inspection at all times, and

for convenience in repairing. When necessarily placed within partitions or in recesses of walls, soil and waste pipes shall be covered with woodwork, so fastened with screws as to be readily removed. In no case shall they be absolutely inaccessible.

Sec. 2159. Ventilation of Water Closets—How Effected.—

All interior water closet compartments shall be ventilated by windows into the open air, or into air shafts of not less than three square feet in area.

Sec. 2160. Separate Sewer Connections for all Buildings—

Exceptions.—Where there is a sewer in the street, every house or building shall be separately and independently connected with it, unless the Board of Health shall give permission, which said Board is hereby authorized to do, to the owner of two or more contiguous houses to connect them all with the sewer in the street through a single opening. When possible, such connection shall be made directly in front of the house.

Sec. 2161. Glazed Sewer Pipe—When Used—Directions.—

Where the soil consists of a natural bed of loam, sand, or rock, the house sewer may be of hard, salt-glazed and cylindrical earthenware pipe, laid on a smooth bottom, free from all projections of rock, and with the soil well rammed to prevent any settling of the pipes. Each section shall be wetted before applying the cement, and the space between each hub and the small end of th next section shall be completely and uniformly filled with the best hydraulic cement. Care should be taken to prevent any cement being forced into the drain to become an obstruction. No tempered up cement shall be used. A straight edge shall be used inside the pipe, and the different sections shall be laid in perfect line on the bottom and sides; provided, always, that only cast iron pipe shall be used from the lower end of the main vertical soil-pipe to a point beyond the house, foundation or area line.

Sec. 2162. Private Sewers—How Laid.—

Where there is no sewer in the street, and it is necessary to construct a private sewer to connect with a sewer in an adjacent street or avenue,

it shall be laid outside of the curb, under the roadway of the street, on which the houses front, and not, when otherwise practicable, through the yards or under the houses.

Sec. 2163. Cast Iron House Drains—Fall Necessary—Diameter of Pipe.—The house drain shall be of cast iron, with a fall of at least one-quarter inch to the foot, and, when water closets discharge into it, the house drain shall be at least four inches in diameter.

Sec. 2164. Straight Lines, If Possible.—It shall be laid in a straight line, if possible. All changes in direction shall be made with curved pipes, and all connections with Y-branch pipes and one-sixteenth or one-eighth bends, if possible. Under no circumstances shall more than one-sixth bends be used.

Sec. 2165. Traps on House Drains—Shall Have Handhold—How Constructed.—A running or half-S trap shall be placed on the house drain at an accessible point near the house. This trap shall be furnished with a handhold for convenience in cleaning, the cover of which shall be properly fitted and made gas and airtight with some suitable cement properly applied.

Sec. 2166. Fresh Air Inlets—Diameter.—There shall be an inlet for fresh air to enter the drain just inside of the trap described in the foregoing section, of at least four inches in diameter, leading to the outer air and opening at some suitable place not less than ten feet from the nearest window. No cold-air box for a furnace shall be so placed that it can possibly draw air from this inlet pipe.

Sec. 2167. Ventilators—Prohibition of Certain Kinds.—No brick, sheet metal, earthenware or chimney flue shall be used as a sewer ventilator, or to ventilate any trap, drain, soil or waste pipe.

Sec. 2168. Iron Waste Pipes—Shall Extend Through Roof—Diameter.—Every vertical soil and main waste-pipe shall be of iron, and it shall extend at least two feet through the roof, and have a diameter above the roof not less than that of the pipe

proper, and in no case shall it be less than four inches in diameter above the roof.

Sec. 2169. To go Above Roof.—Soil, waste and vent pipes in an extension shall be extended above the cornice or roof of the main building when otherwise they would open within twenty feet of the windows of the main house or of the adjoining house.

Sec. 2170. Size of Pipe Connections of Lead.—When lead pipe is used to connect fixtures with vertical soil or waste pipes, or to connect traps with vertical vent-pipes, it shall not be lighter than D-pipe.

Sec. 2171. No Traps on Vertical Soil or Waste Pipes.—There shall be no traps on main vertical soil or waste pipes.

Sec. 2172. Gas-Tight Joints Required.—All joints in iron drain-pipes, soil-pipes and waste-pipes shall be so filled with oakum and lead and hand-calked as to make them gas-tight.

Sec. 2173. Lead and Iron Pipes—How Connected.—All connections of lead with iron pipes shall be made with a brass sleeve or ferrule of the same size as the lead pipe, put in the hub of the branch of the iron pipe and calked with lead. The lead pipe shall be attached to the ferrule by a wiped or overcast joint.

Sec. 2174. Wiped Joints.—All connections of lead, waste, and vent pipes shall be made by means of wiped joints.

Sec. 2175. Traps for Closets, Etc.—Every water-closet, urinal, sink, basin, wash-tray, bath and every tub or set of tubs, and hydrant waste pipe, and every area and courtyard drain connected with a sewer, shall be separately and effectively trapped.

Sec. 2176. Traps as Near Fixtures as Possible—Maximum Distance.—Traps shall be placed as near the fixtures as practicable, and in no case shall a trap be more than two feet from the fixture.

Sec. 2177. Strainers to Prevent Obstruction.—All waste pipes from fixtures, other than water-closets, shall be provided at the inlet of such fixtures with strong metallic strainers to exclude from such waste-pipes all substances likely to obstruct them.

Sec. 2178. Bath Tubs Separately Trapped.—In no case shall the waste from a bathtub or other fixture be connected with a water-closet trap.

Sec. 2179. Traps Protected From Syphonage—Vents—Regulations.—Traps shall be protected from syphonage, and the waste-pipe leading from them shall be ventilated by a special air-pipe, in no case less than two inches in diameter for water-closet traps, and one inch and a half for other traps, except when special anti-syphon fixtures or devices, which render the trap-vent unnecessary, are used; which fixtures and devices shall first be approved in each case by the Board of Health. In all cases vertical vent-pipes shall be of cast or wrought iron.

Sec. 2180. Vent Pipes Through the Roof—Continuous Slope.—Vent pipes shall extend at least two feet through the roof, or the single or combined pipes may be connected above the highest fixture with the main vertical vent-pipe. They may be combined by branching together those, which serve several traps, but the area of the combined pipes shall not be decreased. These air-pipes shall always have a continuous slope to avoid collecting water by condensation.

Sec. 2181. Restriction as to Vent-Pipe.—No trap vent-pipe shall be used as a soil or waste pipe.

Sec. 2182. Overflow Pipes.—Overflow pipes from the fixtures shall in each case be connected on the inlet side of the trap.

Sec. 2183. Special Pipes for Wash-Basins, Bath, Etc.—Outlets Covered with Flap-Valves.—Every safe under a wash-basin, bath, urinal, water-closet, or other fixture, shall be drained by a special pipe not directly connected with any soil pipe, waste-pipe, drain, or sewer, but discharging into an open sink upon the cel-

lar floor or upon the ground outside the house. The outlets of such pipes should be covered by flap-valves.

Sec. 2184. Refrigerators, etc.—How Drained.—The drain-pipe from refrigerators and the drain pipe from the supply pipe shall not be directly connected with the soil or waste-pipe, or with the drain or sewer; it should discharge into an open and water-supplied sink, or it may discharge upon the ground in such manner as will not create a nuisance.

Sec. 2185. Water Closets—How Furnished With Water—Restrictions.—All water closets within the house shall be supplied with water from special tanks or cisterns, the water of which is not used for any other purpose. The closets, except closets placed in the yard, shall not be supplied directly from the supply pipes. A group of closets may be supplied from one tank, but water-closets on different floors shall not be flushed from one tank. No direct connecting closets will be allowed within the house.

Sec. 2186. Outdoor Closets—How Arranged—How Ventilated.—Water closets, when placed in the yard, shall be so arranged as to be conveniently and adequately flushed, and their water supply pipes and traps shall be protected from freezing. The compartments for such water closets shall be ventilated by means of slatted openings.

Sec. 2187. Rainwater Leaders.—Rainwater leaders shall not be used as soil, waste, or vent pipes, nor shall any soil, waste or vent pipe be used as a leader.

Sec. 2188. Cast Iron Leaders—When Used—When Trapped, etc.—When within the house, the leader shall be of cast iron with leaded joints, or of copper with soldered joints. When connected with the house drain, it shall be trapped beneath the ground, or just inside of the wall, the trap being arranged in either case so as to prevent freezing. In every case where a leader opens near a window or light shaft, it shall be properly trapped at its base.

Sec. 2189. Steam Exhausts—How Connected—How Discharged.—No steam exhaust or blow-off pipe from a steam boiler shall connect with any soil or waste pipe, or directly with the house drain or sewer. They should discharge into a tank or condenser, the waste from which, if to be discharged into the sewer through the house drain, shall be connected on the sewer side of the house or running trap.

Sec. 2190. Tenements—Closet Accommodations—How Located.—The general water closet accommodations of tenement or lodging houses, or of office buildings, or of any building, in which said accommodations are permitted to be used by the public, shall not be placed in the basement or cellar, but they shall be so located and constructed that no offense or nuisance may be caused.

Sec. 2191. Plumbers Shall Execute Their Contracts Within Reasonable Time—Penalty for Failure.—Where a plumber, either by contract or by employment has been entrusted with the work, or has secured a contract, to connect a building or lot with the public sewers, and, after securing this contract, fails to complete said work or contract within a reasonable time, it shall be the duty of the Sanitary Inspector to notify said plumber of his default, and that said work or contract must be carried on expeditiously to completion, and, should said plumber or contractor, after receiving said notice, fail or refuse to carry on said work or contract to completion within a reasonable time thereafter, or fails or refuses to attempt to complete said work or contract, then he shall be deemed guilty of a violation of this ordinance, and on conviction in the Recorder's Court, shall be punished by imprisonment not exceeding thirty days, or fined not exceeding \$100.00, or both, at the discretion of the Recorder.

Sec. 2192. Copy of This Ordinance to Each Contracting Plumber.—A copy of this ordinance shall be mailed or handed in person to each contracting plumber within the City of Atlanta so that they may have notice thereof, but failure to receive said notice shall not in any way prevent prosecution under the

provisions of this ordinance, nor be made a condition of its enforcement.

Sec. 2193. Unlawful for Trash to be Thrown Into Catch-Basins, or Anything to Stop Them up.—It shall be unlawful to throw into, or at the mouth of, catch-basins, or to deposit so near the mouth thereof, that same may run, fall, or wash into said catch-basins, any liquid or solid substance of any kind, quantity, or condition.

Sec. 2194. Penalty for Violation.—Any person violating the above section shall, on conviction in the Recorder's Court, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2195. Notice by Plumber to Board of Health of Work Required—Work Open to Inspection—Who Responsible for Defective Work, Etc.—Notice in writing shall be given to the Board of Health by the contractor, builder, or plumber, in all cases of new work, or the remodeling of old work, or in any and all cases, in which repairs involve the removal of fixtures, or changes in the location or arrangement of fixtures when the work is sufficiently advanced for inspection, no part of the work shall be covered or concealed in any way until after it has been examined by an inspector of the Board of Health. And the contractor, builder, or plumber shall test the work to the satisfaction of the Inspector, after plugging all openings, by filling the soil-pipes with water for the purpose of detecting any imperfect joints, or any other defect in the material or workmanship, which may permit the escape of foul air into or under the house, and all such defects, that may exist shall be made good, as provided in this ordinance. Any plumbing work, or any house sewer, or any house drain put up and covered without due notice to the Board of Health shall be uncovered for inspection by direction of the Inspector. And the contractor, builder, or plumber, who may be in charge of the work, and who may be responsible therefor, shall be subject to the penalties prescribed in this ordinance for any violation of the

provisions of this section, upon conviction of such violation in the Recorder's Court.

Sec. 2196. Penalty for Violation by any Plumber or any Person Permitting Such Violation.—Any plumber or other person, who shall violate any of the provisions of the foregoing sections, or any person, who shall knowingly permit any violation of any of said provisions upon premises owned or controlled as agent or otherwise by them, shall, after conviction in the Recorder's Court, be fined not more than one hundred dollars, or imprisoned for not more than thirty days, either or both, in the discretion of the Court.

Sec. 2197. Inflammable Material Cannot be Used in Work.—It shall hereafter be unlawful for any plumber or gas fitter in putting gas fixtures into any house in the City of Atlanta to use any cement composition or other substance, which is inflammable, combustible, or which melts or softens under the influence of heat.

Sec. 2198. Penalty for Violation.—Any person convicted in the Recorder's Court of violating the preceding section shall be punished by a fine not to exceed one hundred dollars, or imprisonment not exceeding thirty days for every such violation.

Sec. 2199. Plumbers to Report—In its Absence, Approval of Plumbing Inspector Sufficient.—In any case where a plumber fails to make a return, the approval of the Plumbing Inspector shall be sufficient, or any licensed, competent plumber may make a report or return, whether he did the whole work or not, of repairs (repairs to consist of leaks in pipes) or the installing

Sec. 2200. Plumbers Must be Licensed as Such.—No person, firm, or corporation engaged in, or working at the business of plumbing, shall engage in or work at said business in the City of Atlanta, either as master, employing or journeyman plumber, unless such person, firm, or corporation first receives a license therefor, in accordance with the following provisions:

Sec. 2201. Every Plumber Must Stand an Examination.—Any person desiring to engage in or work at the business of plumbing, either as master, or journeyman plumber, in the City of Atlanta, shall be required to submit to an examination before a Board of Examiners, as hereinafter provided, as to his experience and qualifications in such trade, business, or calling. In the case of a firm or corporation, the examination and licensing of any one member of the firm, or the manager of the corporation, shall satisfy the requirements of these provisions.

Sec. 2202. Board of Examiners—How Many—Qualifications—by Whom Appointed—How Long They Serve.—There shall be in the City a Board of Examiners. Such Board shall consist of five members, of whom one shall be a master or employing plumber, of not less than ten years' experience as a practical plumber; one shall be a journeyman plumber of like experience, and the other members shall be the Plumbing Inspector, the Chief of Construction and the Secretary of the Board of Health of this City. The term of office for the master or employing plumber shall be two years, and for the journeyman, one year. The Board of Health shall appoint the master and journeyman plumbers, and their successors. Three members of the Board shall have power to act.

Sec. 2203. Oath of Members of Board of Examiners.—All the members of the Board shall subscribe to an oath before the Mayor, to discharge their duties impartially, to the best of their ability, without fear or favor.

Sec. 2204. Organization of the Board of Examiners—Duties. Said Board of Examiners shall, as soon as may be after their appointment, meet and organize by the selection of a Chairman and Secretary, and shall designate the time and place for the examination of all applicants desiring to engage in or work at the business of plumbing in this City.

Sec. 2205. Board to Issue Certificates of Proficiency—When—How—By Whom Signed.—Said Board of Examiners shall examine said applicants as to their practical knowledge of plumbing, house drainage, and plumbing ventilation, and, if satisfied

as to the competency of the applicants, shall issue a certificate to that effect. Said certificate shall be signed by the Secretary, who shall keep a record of them, and is valid until revoked by said Board. There shall be no compensation for the services performed by the members of said Board, other than that now received under existing laws and ordinances.

Sec. 2206. Penalty for Violation, Besides Revocation of Certificate.—Any person or persons violating any of the provisions of this ordinance shall be tried before the Recorder's Court of said City, and, on conviction, shall be subject to a fine of not exceeding fifty dollars, or thirty days on the public works, either or both, at the discretion of the Court, for each and every violation, and his certificate may be revoked by the Board of Examiners.

Sec. 2207. Plumbers Shall not Allow Other Persons to Use Their Licenses for any Purpose.—No person, firm, or corporation carrying on the business of plumbing shall allow his, her, or their name to be used by any other person, directly or indirectly, either to obtain a permit, or permits, send in notices, make returns, or to do any work under his, her, or their licenses.

Sec. 2208. Before Beginning Work, Shall File Description, Diagram, Specifications, Etc., With Board of Health—24 Hours for Approval.—Every plumber, before commencing any portion of any plumbing work, drainage, or sewerage, or extending or altering old or new work, shall file at the office of the Board of Health, on blanks furnished, an application and a diagram, giving a complete description of the plumbing and fixture to be placed in the building and location of same, the names of owners and architects, if any, and street and number; also location of and description of proposed sewer connections, except in cases of repairs (repairs to consist of leaks in pipes) or the installing of only yard closet and outside work, then full description will be sufficient. These plans or descriptions must be in office 24 hours before approval, unless earlier approved.

Sec. 2209. Plans Drawn in Ink—Vertical Section of Plumbing Displayed—Black and Red Ink Both Used Where Altering

Old Work.—Plans must be legibly drawn in ink. One vertical section of the plumbing arrangements will be sufficient, if it can be made to show all the work, if not two or more drawings shall be furnished. In alteration to existing work, the old work shall be drawn in black ink and the additional work in red ink.

Sec. 2210. Plumbing Inspector Issues Permit—Plans not Altered Except on Written Application.—A permit will be issued by the Plumbing Inspector after plans are approved, and no alteration of plans will be allowed, except on written application to the Inspector.

Sec. 2211. Board of Health to Supervise Plumbing or Repairs to Plumbing, With View to Proper Sanitation.—When plumbing or the repairs or plumbing is required to be done by reason of complaint to the Board of Health office on account of sanitary defects or violation of ordinances, such plumbing must be carried on under the direction of the Health Department, and, when completed, inspected and accepted by the Plumbing Inspector. When sanitary inspection has shown the plumbing in any building, which is occupied or has been occupied, to be in a condition, which endangers health, repairs or alterations of such buildings must, when finished, be submitted to Health Department for approval.

Sec. 2212. Plumbing Apparatus Condemned Must be Replaced by Apparatus Required by These Ordinances.—Whenever any plumbing fixtures in any building are condemned by the Plumbing Inspector of the Board of Health on account of their foul, unwholesome, imperfect or unsanitary condition, they shall be replaced by such apparatus as is demanded by provisions of this chapter.

Sec. 2213. Water Closets Must be Located in Thoroughly Lighted and Ventilated Places.—No water closets or urinals shall be placed or permitted to exist in any location or apartment, which is not thoroughly lighted and ventilated.

Sec. 2214. Special Permits—When Issued—Conditions.—Where additional fixtures are required, or alterations are made,

which cannot be practically constructed in accordance with all the provisions of this chapter, a special permit in writing may be issued by the Plumbing Inspector for such work, if, in his judgment, the conditions require it, and all reconstruction of old or condemned plumbing shall be in accordance with the provisions of this chapter.

Sec. 2215. Plumbing Must be Done by Plumbers With Certificates—Other Work by Competent Men Under Licensed Plumbers—If Incompetent, Plumbing Inspector Orders Their Removal.—All plumbing work to be done by skilled workmen, having been examined, and having a certificate from the Board of Plumbing Examiners. The laying of sewers and placing of wrought iron pipes may be done by competent men under the direct supervision of licensed plumbers, the plumbing inspector to be the judge of their ability; and whenever any of these plumbers, pipers, or drain layers are found to be incompetent, the Plumbing Inspector is to order their immediate removal and their employer immediately notified.

Sec. 2216. Engineers of Buildings—Firemen—Porters—Cannot do Plumbing Work.—Engineers of buildings, firemen, or porters, general workmen around hotels, factories, etc., are not allowed to do any work under this ordinance, except the repairing of leaks, unstopping pipes, where it is not necessary to remove any part of the work or fixtures.

Sec. 2217. Plumbing Inspector Judges Material and Workmanship—Appeals From His Decision to Board of Health—Copy to Plumbing Inspector in Six Hours—Otherwise His Decision Governs.—The Plumbing Inspector is to be the judge of the quality and material and workmanship, and the construction of the ordinances as their meaning. Should any difference of opinion arise, appeal from his decision must be made at once, in writing, to the Board of Health, stating full particulars of disputed points clearly, and copy of same furnished plumbing inspector in six hours, otherwise his judgment will govern.

Sec. 2218. Plumbing Inspector has to Inspect Entire Work.—The plumbing inspector has the inspection of the entire work

and the details, from main sewer in the street to the roof joint, and anything that may have a bearing upon the successful working or protection of all work.

Sec. 2219. Plumbers Must Obtain Certificate From Plumbing Inspector—Water Will Not Otherwise be Turned on.—The plumbers shall obtain a certificate of final inspection from the plumbing inspector, when the work has been completed and under water, stating that such work has been inspected, and is put in according to the City ordinances. (The water will not be allowed turned on new work until this certificate is exhibited to the proper officials of the Waterworks Department.)

Sec. 2220. Notice for Inspection—When—Morning—Afternoon.—All notices for morning inspection must be in the office before 9 A. M., and for afternoon inspection before 1:30 P. M.

Sec. 2221. Different Notices for Different Inspections—Number of Inspections—Large Buildings, as Work Progresses.—As much of the work as is possible to put in shall be ready, when the notice of inspection is sent in. Two notices for sewer on job should be sufficient, one in the street and one in the yard. Two for inside work should be sufficient, one for test, and one for finish. After the first visit for any of the above, if it is necessary to return to reinspect any part of the work, whether from defect or not entirely completed, the Inspector will return only on another written notice and not less than twenty-four hours thereafter, all other notices taking precedence. In large buildings the Inspector will of course inspect as the building progresses.

Sec. 2222. Best Materials—Cast Iron Pipe Tar-Coated in and Out.—All material shall be of good quality and free from defects. Cast iron pipe is to be tar-coated in and out.

Sec. 2223. Extra Heavy Pipe where Inspector Requires.—Extra heavy cast iron pipe to be put in where ordered by the Inspector.

Sec. 2224. Wrought Iron Pipes and Fixtures—When Used. Wrought iron pipes and fixtures to be galvanized iron, where allowed to be used.

Sec. 2225. Old Fixtures or Material—When Used.—Old fixtures or material, or such that have been used, will not be allowed to be put on jobs except by permission of the owner of the property, on which the work is done, and shall pass inspection.

Sec. 2226. Durham System of Pipes—Must be Standard Thickness—Changes in Direction of Pipe—How Made.—Whenever the Durham system or wrought iron pipes are permitted to be used for soil, waste, vent or sewer pipes, they shall be of standard thickness, and shall be galvanized, unless by permission. All changes in direction of pipe shall be made with Y's 1-16, 1-6 or 1-8 bends, threaded inside, and so constructed as to form uniform bore without pipe without any burrs and recesses. None but regular drainage fittings and sockets will be allowed.

Sec. 2227. Ferrules—Material.—Ferrules and cleanouts shall be of brass or cast iron and brass.

Sec. 2228. Underground Pipes—Material.—All drains and underground pipes in yards and streets shall be salt-glazed vitrified terra cotta sewer pipe, burned through and hard, homogeneous in texture, free from flaws and perfectly smooth inside. Terra cotta traps allowed to be used only outside of buildings in ground.

Sec. 2229. Wooden Unlined Sinks Not Allowed—Half-Lined Sinks Not Allowed.—No wooden unlined sinks will be allowed; they shall be of non-absorbent material. Sinks, when lined, must be lined throughout; no half-lined sinks allowed.

Sec. 2230. Where Acids Used—Permit Obtained.—Where acids are used, a permit may be obtained for the use of terra cotta pipes, where the work is not of sufficient permanency to permit of the use of enameled or lead pipes.

Sec. 2231. Lead Pipes—Weight Required—Must be Supported.—Lead pipes used as waste, vent, or back air pipes shall not be lighter than what is known to the trade as "extra light X. L." All lead pipes must be supported entire length of pipe.

Sec. 2232. Traps—Material—Size—Prohibition of Certain Kinds.—All traps to be plain full bore traps. Iron, lead, brass, or terra cotta. No traps to be less than 1 1-2 inches inside diameter, unless special brass traps. All small traps, two inches or less, to have trap screws. Four inch iron traps to have cover put on with clamp and rubber gasket; no iron lid with catches. No bottle, grease, Bowers, Sanitas, or other traps allowed unless first approved by inspector. 1 1-4 inch brass traps allowed for wash basins.

Sec. 2233. Nickel-Plated Work—Must Be Roughed in First—Inspected.—Where nickel-plated work is to be used, the work must be roughed in with lead stubs and escutcheons must be left loose until inspected.

Sec. 2234. Water Closets—Material—Designs Approved.—All water closets within the house shall be of glazed earthenware or of enameled iron, inside and out, supplied with water from special tanks or cisterns, the water of which cannot be used for any other purpose. No pan, plunger, long hopper, or any direct supply closet of any kind, or having an unventilated space, or the walls of which are not flushed at each discharge, shall be used. Syphon jet wash-out or wash-down closets of design approved by the Plumbing Inspector will be allowed. No closet will be considered complete without proper seat.

Sec. 2235. Urinals—Material—Location.—Urinals must be of glazed earthenware, and the floor beneath the same shall be of non-absorbent material. Urinals should not be set higher than twenty inches above the floor. If floor is lined, it shall be of heavy lead. Urinals outside of house may be of enameled iron.

Sec. 2236. Gratings or Strainers—When Used—Size.—Gratings or strainers must be over all openings, except closets, to sewers, no strainer less than one and one-half inches. No openings in iron gratings to be larger than one-half inch.

Sec. 2237. Soil and Main Waste Pipe—Where and How Laid—Restrictions.—The soil or main waste pipe shall, where prac-

tical, be run along cellar walls, or laid under floor of building, and must be hung with iron hangers securely fastened to floor joists or fastened to wall with wrought iron hooks or straps and screws, one fastener or hanger for each length of pipe. When it is not possible to run or fasten the cast iron pipes as above directed, it may run in trench, cut to uniform grade, and, if laid under ground in a permanent building, it must be extra heavy cast iron pipe in all cases. No wrought iron pipes allowed under ground for drainage. The pipe must extend beyond and outside of building at least three feet.

Sec. 2238. Vertical Soil Pipe—Material—Extend Through Roof—Diameter.—Every vertical soil and main waste pipe shall be of iron, and it shall extend at least two feet through the roof, and have a diameter above the roof not less than that of the pipe proper, and in no case shall it be less than two inches in diameter above the roof, for branch water vents.

Sec. 2239. Eliminate Bends from Vent Pipes—Increase in Size—When.—Vent pipes must be run with as few bends as possible, and be increased in size every thirty feet.

Sec. 2240. Buildings Four Stories or Less—Vent Pipes Increased in Size—How.—When combined vent pipes must be increased in size, according to the following table, in buildings four stories or less.

Branch vents of water closets shall not be less than the following: (The term "branch vents," as here applied, shall be construed to mean all that vent pipe located between the fixtures and the points where the vent joins into the main vertical sack or vent.)

Three closets may be vented into two inch cast iron branch vent and two and one-half inch wrought iron vent.

Five to eight water closets may be vented into three inch branch vent, six baths, basins, or similar fixtures may be ventilated by two-inch vertical vent pipe. When there are more than twelve fixtures, they may be vented by four inch vertical vent.

Two inch and one and one-half inch traps may be vented by one and one-half inch pipe, and vent must not exceed fifteen feet, and, when fixture is not over twenty-five feet from main vent.

When in excess of either of above, two inch waste pipe must continue past fixture full size. When one and one-half inch branch vents are used on fixtures, branch must not exceed ten feet.

Sec. 2241. Ratio of Fixtures to Vents.—In the calculation of the relation of basins, baths, and similar fixtures towards water closets, it shall be reckoned that four basins, baths, or similar fixtures shall equal two closets, and so on at that ratio. When more than sixteen basins, baths, or similar fixtures are on a line, and situated in a building five stories high or more in height, and below the fifth floor, then the vertical vent from the fifth floor up must not be less than four inches.

Sec. 2242. Vent Pipes Branch—Fitting above Floor—How High.—Where vent pipes branch into one another, and where they branch into soil pipe, the branch fitting must not be less than three feet and six inches above the floor.

Sec. 2243. Specifications as to Branches Etc.—Branches into traps for vents shall be as near the crown of trap as possible, and arise at once. No branches to be made on side of traps or bends for vent connections. Horizontal line of vent below top line of fixture, over two feet in length, to be avoided, if possible. All connections of lead, waste, and vent pipes shall be made by means of wiped joints. All connections of lead with iron pipes shall be made with a brass sleeve or ferrule of the same size as the lead pipe, put in the hub of the branch of the iron pipe, and calked with lead. The lead pipe shall be attached to the ferrule by a wiped or overcast joint.

Sec. 2244. All Openings Securely Calked.—All openings left in soil, waste, or vent pipes, for any purpose, and not used in finishing, shall be securely calked up with iron plug, if lead pipe, then openings be wiped up.

Sec. 2245. When Parts Removed, Insertable Joint Used Directed by Plumbing Inspector.—Whenever it becomes necessary to remove part of the cast iron waste or sewerage system to obtain an opening, or for the other purposes, and both ends are

permanently fastened, a Sisson insertable joint shall be used as directed by the Plumbing Inspector.

Sec. 2246. No Holes Cut, That Cannot be Closed by Plugs.—No holes will be allowed to be cut in any cast iron, wrought iron, or sewerage connection, for any purpose, that can not be properly closed by plugs. When it is necessary to open a pipe, the pipe broken to be removed and a clean cut placed instead that it may be accessible for future use.

Sec. 2247. Waste-Pipes—Size.—The waste pipes to receive the discharge from not less than eight sinks, baths, wash basins, wash tubs, urinals or similar fixtures shall not be less than three inches inside diameter. Waste pipe to receive the discharge from less than eight sinks, tubs, or similar fixtures shall not be less than two inches inside diameter, and lead branches not less than one and one-half inches. No waste pipe shall be less than one and one-fourth inches inside diameter, and that only for basins.

Sec. 2248. Cast Iron Pipes—When Not Used.—Cast iron pipes shall not be used between wrought iron or terra cotta pipe, or vice versa.

Sec. 2249. Cleanouts—Material—Thickness, etc.—Where cleanouts are used, they shall be heavy brass, male threads, of at least 1-8 inch thickness, with 3-16 inch thickness in the cover. The same to have solid cast square heads. Whenever cleanouts are necessary, they shall be used in iron pipes, calked in.

Sec. 2250. When Y-Fittings Required—How Constructed.—All horizontal four-inch or larger pipes below or above the ground shall have a "Y" fitting with 4 inch brass cleanout inserted in ends, and on main lines not over thirty feet apart, and three inch lines or smaller shall have "Y" fittings with two inch brass cleanouts not over twenty feet apart, and also at ends, for the purpose of cleaning same when stoppages occur. These cleanouts must be accessible, extending from "Y" fittings either straight ahead or from branch to surface where underground in a straight line, or when otherwise not accessible.

Sec. 2251. Pipes—Material—Must Be Supported.—Every soil or drain pipe within the building to a distance of three feet beyond the foundation lines shall be of either cast or wrought iron. Small waste pipes may be of lead used as branches to connect with iron pipes. Said branches shall not exceed five feet in length, and be supported the entire length. Branches into lead bend will not be permitted, where it is possible to enter the stack. Where lead pipes are used, they must intersect at the same angles given by the Y's, 1-6 and 1-8 bends.

Sec. 2252. Restrictions As to Tapping Cast Iron Pipes—Calking Joints or Wrought Iron Pipe.—No waste or vent pipe shall be tapped, when of cast iron, nor cast iron fittings with hubs and tapped threads, they must be uniform, cast-iron hub fittings, and where wrought iron pipe is used, no calking of joints will be used, but proper drainage screw fittings must be used.

Sec. 2253. Roof Joints—Material—How Constructed.—Roof joints, or where any vent goes through the roof, sheet lead of 10 ounce copper $\frac{1}{4}$ lb. weight per foot must be used and calked into the hub flush with the roof, and a tight workmanlike joint made.

Sec. 2254. Traps of Cast Iron—Packed from Frost Where Possible.—Traps, where put in for baths, basin, or sinks, in exposed places shall be of cast iron, and, where it is possible, properly packed from frost.

Sec. 2255. Grease Traps, Where Ordered Put in—Material.—Grease traps, when put in by order of the Inspectors or owners, shall be of heavy cast iron enameled or brass water jacketed or of an approved pattern.

Sec. 2256. Sinks Under Counters—Refrigerators—How Constructed—How Connected.—Sinks under bar counters and all drains, such as pumps, refrigerators, etc. in a bar, may be connected indirect through deed cast iron sink with a four-inch waste, or to a catch basin in yard, or an open four-inch running trap with vent in front of trap as the Inspector may direct under existing circumstances. Each fixture shall be trapped, the

waste, tested, and conform to all other ordinances governing drains. The above does not include any fixture in the bar-room away from counter, such as wash basins, urinals, sinks, or similar fixtures.

Sec. 2257. Fixtures Using Fresh Water—Connected to Sewer as Inspector May Direct.—Elevators, motors, cellar drains and similar fixtures, using only fresh water, may be connected to sewer, only as the Inspector may direct, the surrounding circumstances governing same.

Sec. 2258. Drain Pipes—How Discharged—Rainwater Leaders—How Emptied.—The drain pipes leading from sinks, bath tubs, or basins, or wash trays, may discharge into proper constructed catch basins placed outside of buildings, and in that case the traps for said fixtures need not be ventilated, if the horizontal distance from outlet of fixture does not exceed five feet, and vertical distance does not exceed four feet. Rain water leaders may empty into catch basins.

Sec. 2259. Owners Shall Provide Water Closet Accommodations—Shall Comply with the Sanitary Laws—One for Every Twenty People.—Every person, who shall be the owner, lessee, keeper, manager or agent of any tenement house, boarding house, lodging house, workshop or manufactory, shall provide, or cause to be provided for the accommodation thereof, and for the use of tenants, lodgers, boarders, or workers therein, adequate privies or water closets, and same shall be adequately ventilated, and shall be at all times kept in such cleanly and wholesome condition as not to be offensive or dangerous or detrimental to health, and no offensive smell or gases from or through any outlet or sewer, or through any privies or water closets, shall be allowed by any such persons aforesaid to exist in such house or any part thereof. Said privies or water closets shall not be less than one for every twenty people inhabiting or employed in such buildings, houses, shops or factories.

Sec. 2260. When Sewer Connection Is Made, Arrangement for Disposal of Waste Water Shall be Made.—Hereafter, where

sewer connections are made, or where they have already been made, to any premises, and only a closet put in, it will be necessary to supply convenience for the disposal of waste water, either a sink in the house, or a catch basin in the yard. In all old work of this kind, the Inspector is to serve a notice on the owner, or agent of the property, where from condition of premises it becomes necessary.

Sec. 2261. Catch Basins—Material—Size—No Bell Trap Allowed.—Where a catch basin in the yard is used, it must be built of non-absorbent material. If of terra cotta pipe, it shall not be less than twelve inches with four inch terra cotta trap in the ground below the frost line; the opening to be protected by heavy iron grating, fastened in; openings in the grating to be not larger than one-half inch. Catch basins to be supplied with water by hydrant or waste of some fixture. No bell trap allowed.

Sec. 2262. Vent May Be Dispensed With in Certain Cases.—Where a neptune closet or other fixture is put in with a "P" or "half S" trap, calked into sanitary tee in vertical stack, not over one foot from stack, the back vent of the two inch pipe may be dispensed with. Also syphon jet closet or lead bend, not over two feet from stack, may have the two inch vent dispensed with, provided in both of the above cases that no waste from other fixtures enter stack above closets, and that the four inch pipe is continued through the roof.

Sec. 2263. Hoppers or Yard Closets—Type—How Installed.—Hoppers or yard closets shall hereafter be of the pattern known in catalogues as new or New York "enameled." The iron pipe shall extend beyond the foundation or building line, and the closet shall be calked into the hub of same or set securely on lead extension, wiped on brass ferrule. The house or room to be substantially built and properly floored. All old seats to be removed. The closet to be provided by plumber with proper seat, and shall be hard wood and brass-hinged.

Sec. 2264. Drain Pipes Three Feet from Walls.—Where drain pipes are constructed of terra cotta or any material liable to allow leakage, when laid parallel with or in the same directions as

the walls of any buildings, they shall, where possible, be situated a distance of at least three feet from said walls.

Sec. 2265. More Than One Closet on a Pipe—Conditions—Arrangement for Clean Out.—Where more than one closet is upon the pipe in any building, the pipe shall extend beyond the room to the outside, and have a four-inch clean out of brass. When a sewer is laid in rear or front of the building, a "Y," properly closed, must be left at end for the purpose of a clean out.

Sec. 2266. No Full S-Trap under Hoppers—Must Be Three feet from House.—No full "S" trap allowed under a hopper closet. Traps with hand lids must be supplied with clamps and rubber gaskets. The building must be at least three feet from main house, building, or dwelling, and not closely connected, and situated on the ground.

Sec. 2267. Must Have Valves or Shut-Offs Suitable to Inspector—No Putty Joints—Sufficient Water Supply.—These closets shall have valves or shut-offs of suitable pattern satisfactory to the plumbing inspector. No putty joints allowed, a brass fan flush must be used, and sufficient water supply to thoroughly flush closet.

Sec. 2268. Sewers on Uniform Grade—Terminate Not Less than two feet under Ground—Where Elevated Lot, Grade May be Broken—Minimum Fall One-quarter Inch to Foot.—All sewers shall be laid on a true uniform grade and from "Y" in main sewer to the end at the building line, where possible, and to terminate not less than two feet under ground. Where the property is above the street to such a height that the digging of such a ditch would be unnecessary, the grade may be broken into two separate grades, one from "Y" to the property line, and one from the property line to terminus. No sewer allowed where a fall of at least one-quarter inch to the foot cannot be obtained, unless by permit from City Engineer.

Sec. 2269. Sewers on Unimproved Streets—Paved Afterwards—Owners on Notice Make Connections before Paving So As to Prevent Tearing Up.—Where sewers are laid upon unim-

proved streets, and the paving or otherwise improving the streets is begun immediately thereafter, it is desirable that said improvements may not be immediately torn up by the laying sewer connections, the laying of branches as far as the inside curb-stone may be ordered done at once by serving notices on owners of property along said street or streets to that effect.

Sec. 2270. Parallel Private Sewers Not Allowed—Must Connect with Existing Sewer—Become Part Owner and Responsible for Its Repair.—Hereafter no parallel lines of private sewer will be allowed in any street or alley where sewer is already of sufficient capacity, but the owner of any private sewer already in must allow connection to be made to said sewer for a reasonable portion of the cost of said sewer, the person or persons so connecting becoming a part owner, and responsible for all of the sewer in said street or alley, should it become necessary to repair or replace same for any cause.

Sec. 2271. Houses in Rear of Lots Cannot Use Surface Closets, If Sewer is Accessible, Public or Private.—Houses in the rear of lot, where the houses on street are connected with sewer, will not be allowed to use surface privies, if the sewer is accessible, and the property-owner or his agent, may be ordered to connect said house or houses on rear of property at the same time, when notice is served for connection for houses in front, also, any house situated on a lot, where there is no City sewer accessible, but is accessible to a private sewer and water, may be made to connect with said private sewer, if the District Inspector is so directed by the Board of Health.

Sec. 2272. No Sewer Empty Into Manhole Without City Engineer's Permission.—No sewer shall empty into a manhole, or be tapped into a sewer, only on the written permit from the City Engineer furnished to the Plumbing Inspector.

Sec. 2273. Fresh Air Inlets not Necessary, When Job Connected with Modern City Sewer.—The trap or fresh air inlets will not be necessary, where the job is connected to modern or new lines of city sewers, which have flushed tanks and perforated manholes. On long lines of private sewer, although connected

into modern sewer, the trap and fresh air inlet will be required, as directed by Inspector.

Sec. 2274. House Trap Fresh Air Inlet—Size—Pattern.—

The house trap, where used, must have a fresh air inlet 4-inch diameter finished by a return bend on an approved pattern cap of iron gratings, so arranged as to freely admit a supply of outer air, and, at the same time afford protection to the trap from foreign matter being introduced therein.

Sec. 2275. Old Sewer on Lot, When Building Is Placed on It—What Is Done.—

Where either an old or new building is placed upon a lot, which has an old sewer within the lines of any part of the foundation, said sewer must be either removed or replaced with cast iron pipes, run in accordance with these rules and regulations.

Sec. 2276. No Drain Near Cistern or Well—Liable to Infect Drinking Water.—No terra cotta or earthenware drain shall run near a cistern or well, the water of which is liable to be used for drinking or cooking purposes.

Sec. 2277. Drainage of Lots to Prevent Trash Accumulation.—

Drainage of lots, where there is any amount of wash of lots, that may be liable to fill the sewer with trash or sand, must have connection made through a D or box trap of brick, similar to the catch basins on street corners.

Sec. 2278. Taking Up and Relaying Old Lines of Sewers.—

In taking up or relaying old sewers for any reason, only sound pipes can be used, and must be inspected. The Inspector may, if he desires, order "Y's" placed in lines of sewers for the purpose of cleaning same, especially in any old lines, that are or have been giving trouble.

Sec. 2279. Size of House Drains.—All main house drains, or sewer pipe of terra cotta, connecting to city sewer, shall be six inches, inside diameter, continuing full size inside of property line. Four-inch sewer not allowed for a distance of over five

feet where a closet empties into same. Smaller drains of terra cotta pipe than four inches inside diameter not allowed.

Sec. 2280. Reduction and Increase in Size of Sewers—Restrictions.—For no reason shall sewers be reduced in size toward main sewer. After leaving opening in main sewer, the pipe must not increase in size, unless a special permit in writing is obtained from the City Engineer, stating the particulars for such permit.

Sec. 2281. Mistake in "Y" Connections—How Corrected.—Where a "Y" belonging to any premises has been taken by mistake or otherwise, a "Y" may be inserted into line at main sewer "Y," giving the proper owner the straight end, and the other shall be connected into the "Y" branch.

Sec. 2282. Permits for Use of One Line of Sewer for Two or More Houses—When and By Whom Revoked.—Where from any cause a permit has been given to use one line of sewer for two or more lots or houses by the Board of Health, and for any reason it afterwards becomes necessary to have each of the premises or houses separately connected, the permit allowed or issued will have no effect, and the Board may at any time order separate connections, when, in their judgment, it is necessary for the same to be done.

Sec. 2283. Openings in Sewers—With What Provided.—All openings in sewers must be provided with traps and water supplies to retain a seal.

Sec. 2284. Sewer Ditch Must be Inspected—If Defective, What is Done.—The man in charge of the sewer ditch must be present, when the work is inspected, and have all permits, if necessary, with him. He must have a good level and line, and must give all information that the Inspectors may require. Notice will be given this man whether the work is satisfactory, and, if passed, also if improperly put in and not passed, and he should so inform his employer immediately.

ADDENDA.

Sec. 2383 (a). Bond—How Registered.—Holders of coupon bonds issued by the City of Atlanta, may, if they so desire, have such bonds registered.

Bonds for registration shall be presented to the City Treasurer, who shall detach the coupons from such bonds in the presence of the Mayor and Chairman of the Finance Committee, and shall stamp on said bonds the form set out below, with his name signed thereto, or the following form may be printed, lithographed or engraved on said bonds, in which event the Treasurer shall fill out the blanks and sign his name thereto, and, in either event, when re-registration is had, the same form shall be followed.

Registration Certificate.

At the request of the holder of the within bond for its conversion into a registered bond, it is hereby certified that the coupons attached to said bond have this day been cut off and destroyed, and the within bond is hereby converted into a registered bond, with the principal and semi-annual interest payable to ----- or ----- assigns or legal representatives.

Dated ----- 19--

City Treasurer.

Date of Registry. Name and address of registered.

City Treasurer----- Holder-----

The City Treasurer shall have books prepared in such forms as shall show the numbers, date and denomination of such bonds registered by him; also, by whom signed, and with such accurate description as that such bonds may be easily identified, with post-office address of owner, so that the semi-annual payments of interest on such registered bonds may be promptly and safely made; and the signature of the owner of such bond or bonds shall be signed on this book.

The detached coupons, as herein provided, shall be at once destroyed by the Mayor, Chairman of the Finance Com-

mittee and the City Treasurer, and the Chairman of the Finance Committee shall make report of the same at the next regular meeting of the General Council.

The City Treasurer shall notify the City Comptroller when any bonds of the City have been registered by him, giving a detailed and accurate description of such bonds and detached coupons, so that the City Comptroller may make such records on the books in his office as to fully show the transactions made in the registration of bonds, as heretofore provided in this ordinance.

Sec. 2285. Back Pressure Avoided if Possible—Damage to Property, Owner's Risk.—Where from any reason plumbing is so located that there may be back pressure, valves must be put in. Such arrangement will not be allowed where it can possibly be avoided; any damage occurring to property will be at owner's risk.

Sec. 2286. Water Pipes—Material—Size.—The main water supplies, both hot and cold, shall be of lead or galvanized iron pipes, and in no case less than 3-4, when of iron, and 5-8, when of lead, inches in diameter, the branches to be of not less than 1-2 inch, when of iron, and 3-8 inch when of lead; these branches not to extend over twenty feet to supply one fixture. All lead pipes to be of quality known as extra strong.

Sec. 2287. Connections of Lead with Iron—How Made.—All connections between lead and iron to be made by wiped joints on brass nipples or one-half brass solder unions.

Sec. 2288. Water Pipes Under Ground—How Deep.—All water pipes, where it is possible, shall be put under ground at least one and one-half feet.

Sec. 2289. Shut-Offs—Where Located.—Besides the shut-off at property line, there must be a shut-off between the house and the anti-freezing hydrant or stand pipe, so that, when water from the house is shut off, for any purpose, water may still be obtained through the stand pipe hydrant over kitchen sink.

Sec. 2290. Horizontal Exposed Pipe to Be Avoided—Fall Towards Drains.—No horizontal runs of exposed pipe will be allowed where it can possibly be avoided and any such put in must have a fall towards drains of at least one-half inch to the foot.

Sec. 2291. Exposed Water Pipes in House—How Supported—Must Be Accessible, if Enclosed in Plastered Walls.—Exposed pipes in the house must be neatly put in upon planks, put up for that purpose, and, if of iron, to be fastened by tinned straps and screws; if of lead, by tags securely soldered to pipe about two

feet apart and screwed to board. Horizontal runs of lead pipe may rest on strip of wood put in for that purpose. In no case shall pipes be put in plastered partitions, that are inaccessible.

Sec. 2292. Shut-Offs and Drains Accessible from Within the House—Should Be Located Together, if Possible.—The shut-offs and drains for emptying pipes in house to prevent freezing must be located in such a manner as to be accessible from within the house. No globe valves allowed to be used as drains or shut-offs in dwellings. When it is possible, the shut-off and drains should be located together; they should not be placed where they are liable to become covered up with mud or trash.

Sec. 2293. Traps Not Allowed Above Ground Between Fixtures and Drains.—No pipes allowed trapped above the ground between fixtures and drains.

Sec. 2294. Boilers—How Connected.—All boilers shall be properly connected to stove and supplied with drain to empty same. The pipes must not be trapped between kitchen sink and boiler, where it can possibly be avoided.

Sec. 2295. Water Pipes Under Floors Must be Accessible.—Water pipes placed under floors or in recesses of walls shall be so covered with plank, put up with screws, or floor put down with screws, as to be easily accessible. The plumber in charge of the work to see that this is done.

Sec. 2296. How Pipes Are Supported in Hotels, Factories, and Large City Buildings.—In hotels, factories and buildings where there is no danger of frost, being always occupied and having engineers in charge, the pipe may be hung in basement from joists.

Sec. 2297. Board of Health May Except Cases from the Effect of these Ordinances—Conditions.—The Board of Health is hereby given the power to except particular cases from the operation of any of these ordinances, whenever circumstances may demand, where, in their judgment, it will be to the interest of

the health of the City or citizens ; and they may pass such rules and regulations, from time to time, as they may deem necessary for the protection of the public health.

Sec. 2298. Penalty for Violation.—Any owner, builder, contractor, or any other person, firm or corporation, who shall violate any of the foregoing provisions, shall, on conviction in the Recorder's Court, be fined not more than one hundred dollars, or imprisoned not more than thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER LXXVIII.

SCHOOLS—BOARD OF EDUCATION.

Sec. 2299. Number of Board Members—Ex-officio.—The Board of Education of the City of Atlanta shall consist of one member from each ward besides the Mayor and chairman of the Committee on Schools of the City Council, who shall each be ex-officio members of said Board.

Sec. 2300. One Member from Each Ward—Vacancies—How Filled—Term.—The Mayor and General Council shall elect a citizen from each of the wards of the City as a member of the Board of Education from their respective wards, and their terms of office shall be for five years. Vacancies, in case of death, resignation, or otherwise, to be filled as vacancies in other Boards of the City Government are filled, by election to fill the unexpired term.

Sec. 2301. Board of Education—Duties.—The Board of Education shall have control of the whole subject of public schools in the City, and shall have full and ample power to provide the requisite buildings, and open and conduct a sufficient number of schools to meet the wants of the population, so far as they can do so by a prudent and judicious application of the means made subject to their administration and management.

Sec. 2302. Public Schools—Fire Engine Houses and Other Public Buildings to be Built by Contract—Highest and Best Bid to be Accepted—Right to Reject All Bids Reserved.—All public buildings, such as public schools, fire engine houses, and similar structures, when built by or for the City, shall be built under contract, after advertisement two weeks prior to the letting of the bids, and such bids shall be submitted, under and according to plans and specially prepared specifications, and the contracts for such buildings shall be given to the best bidder, in the opinion of the body advertising for and accepting the bids, provided

that the body advertising for such bids shall have the right to reject any or all bids.

Sec. 2303. Miscellaneous Powers of the Board—School Districts—Superintendent and Teachers.—Among the powers hereby conferred, the following are, for greater certainty, specially enumerated: To contract, lease, or purchase buildings for school-houses, and to make all needed alterations and repairs, subject to confirmation by the Mayor and General Council; to furnish said houses with appropriate school furniture and apparatus; to lay off the City into additional school districts whenever in the judgment of the Board it shall be proper to do so, and to increase or diminish the number of districts, or vary their boundaries at pleasure; to employ the Superintendent and all teachers, fix their compensation, and prescribe their duties; to control the distribution of teachers and pupils among the several schools; to dictate the course of studies, the organization of classes, the number and character of text-books, the method of teaching, the time and mode of examination, and the distribution of rewards, honors, and diplomas; and to make and insure the enforcement of a complete system of rules and regulations for the government and efficiency of the schools as respects both teachers and pupils; also to take measures for the gradual formation of a school library, and for managing and rendering the same useful.

Sec. 2304. Board Selects Text-Books—Changed Only Once in Five Years.—The Board of Education shall, in compliance with the duty now resting upon it, carefully consider and adopt the text-books to be used by the children in the public schools of this city, in each and every grade, and that, having done so, said Board shall not have the power to change any of said text-books in any grade before the expiration of five years, and said Board shall have the right every five years thereafter to change text-books.

Sec. 2305. Plan of Instruction—May Be Modified—How.—The plan of instruction and the system of rules and regulations, when once adopted, shall be adhered to, unless modified from time to time by a concurrent vote of two-thirds of the Board.

Sec. 2306. Committees of Board—Powers—How Derived.—

Any of the ordinary powers of the Board may be performed by appropriate Committees, when so directed by standing rules, or by special orders or regulations of the Board.

Sec. 2307. Treasurer of Board—When Elected—Oath of Office—Bond.—The Treasurer of the Board of Education shall be elected at the same time other officers of said Board are elected, and shall receive and pay out all money (from whatever source derived) set apart for the establishment and support of public schools in Atlanta. Before entering upon his duties, the Treasurer shall give bond to the Mayor and General Council in such sum as the Mayor and General Council may require, with security, to be approved by them; and shall also take and subscribe an oath to perform his duties faithfully. Said bond and oath, after being recorded on the minutes of the Board, shall be filed with the Clerk of Council.

Sec. 2308. Vacancy in Treasurer's Office—How Filled.—All vacancies in the office of Treasurer shall be filled by the Board as soon as practicable, after they occur, and the Treasurer shall, at all times, be subject to removal by the Board, and shall, when ordered by said Board, deliver up to his successor all moneys, books, papers and property in his custody, belonging to the public schools.

Sec. 2309. Disbursements—How Made—Reports—How Often—Bond—How Much.—The money, which comes into the hands of the said Treasurer, shall be subject to be managed, administered, and expended by said Board. It shall be paid out only on the checks or drafts of said Board, signed by the President, and countersigned by the Secretary; and the Treasurer shall keep a book of receipts and payments, and transmit quarterly, on the first Fridays in January, April, July and December, a full and complete transcript therefrom, to the Mayor and General Council, and another to the Board of Education. Said Treasurer shall give bond in the sum of ten thousand dollars, conditioned for the faithful discharge of his duties, and properly accounting for all moneys coming into his hands as such Treasurer during his continuance in office.

Sec. 2310. Deposits—When Made—How Made—When Reported—Salary of Treasurer.—Whenever directed by a resolution of the Board, the Treasurer shall keep the funds on hand deposited in some bank in the City (specified in the resolution), and, if any profits can be realized from such deposits, they shall be added to the fund producing them, and be expended as part thereof. All deposits, and the terms thereof, shall be reported with the quarterly transcript from the Treasurer's books—said books, and the moneys, bonds, certificates of deposits, and other assets on hand, shall at all times be subject to inspection by the Finance Committee of the Board and Council. The compensation of the Treasurer shall be two hundred and fifty dollars per annum.

Sec. 2311. Local Taxation for Public Schools—Board Files Annually Estimate of Cost of Maintenance of School System—With Whom—Details.—Money to pay the current expenses of said schools shall be raised annually by taxation as follows: On the first Monday in May of each year the Board of Education shall file with the Mayor and Council a statement of the amount, as nearly as can be estimated, which will be needed to pay the cost of maintaining the schools for the succeeding scholastic year, beginning September the first, exclusive of money, if any derivable, from the State or other sources. Said statements shall set forth the various objects of expenditure, and specify the sum necessary, as estimated, for each. It shall be authenticated by the official signature of the President of the Board.

Sec. 2312. Taxation for Schools—Its Appropriation—Rate—How Fixed.—In fixing the rate of taxation for the year, the Mayor and General Council shall consider such estimate of the Board of Education, and in making appropriations for the various departments of the City Government shall set apart and appropriate such amount to the public schools as in their judgment may be just and proper, having in view the wants of the schools, and the financial condition and ability of the City.

Sec. 2313. Board Makes Semi-annual Reports—To Whom Made—Contents.—In addition to the reports already provided for, the Board shall, within twenty days after the close of each

scholastic term, make a semi-annual report to the Mayor and General Council of all the financial transactions, and of the general progress and condition of the schools, supplying full statistical information as to teachers, pupils, schools, houses, furniture and other property.

Sec. 2314. Petty Cash—\$100—How Kept.—The Board of Education are authorized to keep a "petty" cash account, as follows: The sum of One Hundred Dollars shall be paid to the officers of said Board, and they are authorized to expend same for minor expenses of said department, and when the first appropriation is exhausted, another sum of One Hundred Dollars shall be likewise appropriated, to be used in the same manner, and this method shall be followed as each appropriation is exhausted; provided, however, that no second or additional sum shall be made unless vouchers are submitted, or statements rendered to the Comptroller showing each item for which the previous One Hundred Dollars have been expended.

Sec. 2315. Moneys Reported to Comptroller—By Whom—By Whom Handled.—The President of the Board of Education shall report to the Comptroller all money coming into that Department from tuition, donation, bequest, or from State, County, and from any and all other sources, and the amount so reported shall be charged for collection to the Treasurer of the Board of Education, who shall receive credit upon exhibition of receipt of deposit of same with the City Tax Collector, with whom he shall deposit daily, and report to the Comptroller daily and monthly.

Sec. 2316. Board of Lady Visitors Created—One from Each Ward—When Nominations Made—When Approved.—There shall be a Board of Visitors for the public schools, to be composed of eight ladies, selected one from each Ward of the City. Said members shall be nominated at the meeting of the General Council to be held November 21, 1898, by the Mayor, and such nominations approved by a majority vote.

Sec. 2317. Duties of Board of Lady Visitors Defined—Visit Schools—Make Reports and Recommendations—When.—The said Board shall have authority, and it shall be their duty, to

visit the different public schools, familiarize themselves with the conduct of both teachers and pupils, the studies, methods of teaching, discipline, etc. and at the close of each term make a report to the Board of Education of their work, with such recommendations as they deem proper concerning the further management of the schools; provided, further, that reports may be made during terms, if occasion arises.

Sec. 2318. Term of Office.—The term of service of said members of the Board of Visitors shall be two years from date of election, or until their successors are qualified.

CHAPTER LXXIX.

SEWERS, PERMITS, ETC.

Sec. 2319. Authority of Mayor and Council to Construct Sewers—Chief of Construction.—The Mayor and General Council shall have full power and authority to lay down sewers and drains in said city, and assess the amount of the cost and laying and constructing the same upon the real estate abutting on streets through and along which sewers and drains may be placed and constructed, and upon any real estate through or upon which the same may be constructed or placed. All work of laying down or constructing sewers and drains shall be done under the direction and supervision of the Chief of Construction. The Chief of Construction shall furnish to the Mayor and General Council information and advice as to the necessities of any particular locality or sewerage, the kind of sewerage that may be desirable, with estimates of the cost of the same, and shall furnish plans and profiles and such other like work as may be necessary and proper. Amounts of assessments on real estate for constructing sewers may be collected by execution, levy and sale as in street assessments.

Sec. 2320. Damage to Private Property, but See General Laws as to Condemnation.—The Mayor and General Council are hereby authorized to construct and lay down sewers through property in said city, provided that before doing so, any damage done to private property thereby shall be ascertained and paid, In order to ascertain the amount thereof, assessors shall be appointed, who shall act and report as in cases of opening streets in said city, and from whose award either party may appeal to the Superior Court of Fulton County within four days.

Sec. 2321. Tapping and Connecting with Sewers—Under Direction and Supervision of Chief of Construction.—It shall not be lawful for any person to tap or make connection with any sewer in the City of Atlanta, for any purpose whatsoever, except by

permission of the Mayor and General Council, and upon complying with the following terms and conditions: Whenever a connection is made with any such sewer it must be done under the direction and supervision of the Chief of Construction; and the person or persons at whose instance the connection may be made shall be liable for any damage resulting therefrom, and shall replace the street and sidewalk along and through which such connection is made, in as good condition as it was before the work was commenced, and shall pay to the city such an amount in proportion to the whole cost of the sewer to which he connects, as the frontage of the lot bears to the double length of such city sewer.

Sec. 2222. Permission to Connect Discretionary—Description of Application.—Permission to connect with such sewer or sewers may, in the discretion of the Mayor and General Council, be confined to such character and kind of water and other deposits as in their judgment is necessary and proper, considering the locality and size of the sewer. The application must set forth fully the size and character of the sewer which is to be put down, the point or points at which connections are to be made with the City sewer, and the purpose for which the sewer is to be used.

Sec. 2323. Instructions for Keeping Connections in Good Condition, and Penalty for Failure Thereof.—The occupant or occupants of premises from which any such connection is made, shall be bound at his, her or their own expense to keep such connection in good order. Any person or persons who shall make connections with any sewer of said city, except by permission as aforesaid, or who after permission shall fail to perform, or violate any of the terms and conditions of such permission, or shall fail to keep such condition in good order, shall, upon conviction thereof before the Recorder's Court, be fined in a sum not to exceed one hundred dollars, or be imprisoned not to exceed thirty days, or either or both, in the discretion of the Court.

Sec. 2324. Putting Down Sewers or Gas Pipe—Penalty.—Any person who desires to excavate any street, to any extent, for the purpose of laying sewers or gas pipes, or for any other purpose, shall get permission in writing from the Chief of Con-

struction, who shall specify the streets and portions thereof which are to be so excavated, and the length of time for which such permission is granted. During the time such work is progressing, lighted lanterns shall be placed, at night, on either end of said excavation, and any piles of dirt or material. The top soil and rock, if any, shall be carefully kept apart from the clay or lower earth, and shall be placed in as good condition as the same was before, or to the satisfaction of the Chief of Construction. Any person or persons violating this section, or any part thereof, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not more than thirty days, in the discretion of the Recorder's Court.

Sec. 2325. Excavating in Streets Regulated by the Permission of the Chief of Construction.—Penalty.—Any person who may desire to excavate any street which has been permanently improved, for the purpose of laying sewer, gas or water pipes, or for any other purpose, shall first apply and obtain permission from the Chief of Construction, and deposit with the Chief of Construction, such sums as, in the judgment of such Chief of Construction shall be sufficient to cover the cost of replacing said permanent improvement, the surplus, if any, to be returned when the work is completed, who shall specify in writing the streets and portions thereof which are to be excavated, and the length of time for which such permission is granted, and any person who shall remove any permanent improvement upon such streets without first having obtained such permission, shall, upon conviction thereof, be fined not more than one hundred dollars, or imprisoned not more than thirty days, in the discretion of the Recorder's Court.

Sec. 2326. Instructions for Refilling and Replacing Excavations and Improvements by Chief of Construction.—Penalty.—All permanent improvements which may be removed, and all excavations which may be made as aforesaid, shall be refilled and replaced by the Chief of Construction, and all debris removed by said Chief of Construction, and the entire cost of such work shall be collected out of the person to whom such permit has been granted, and shall be, by such Chief of Construction, paid over to the City Treasurer, and by him conveyed into the

City Treasury. In order that such work shall be done expeditiously, it shall be the duty of the person to whom such permit is granted to notify the Chief of Construction when the work of the repair can commence, and until such notification has been given, all obligations to protect excavations, etc., shall rest upon the person to whom permit has been granted.

Sec. 2327. Permit Revoked for Violation of Above Law—Penalty.—When a permit is revoked, or any person shall fail to do any of the work above specified, in the manner provided in this ordinance, or who shall fail, on notice from the Chief of Construction, to repair defective work within the time specified in the notice, no other permit shall thereafter be granted such party by the Chief of Construction, but only by the Mayor and General Council of said city, on application therefor, which application may, in the discretion of said body, be granted or refused, and such person so failing to do said work, and in the manner as above provided, or who shall do any such work without the permit hereinabove provided, shall, on conviction thereof, for each offense be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 2328. Regulating Removal and Replacing Permanent Street Improvements.—The Chief of Construction shall keep a book in which he shall record the name of the party to whom the permit is granted and the date, etc.

Sec. 2329. Authority of Police to Inspect Permit from City Engineer—Penalty.—It shall be the duty of the Police Department to enforce said ordinance by causing the apprehension and prosecution of all violators of its provisions, and it is hereby made the duty of any person, who may be removing or about to remove any permanent street improvement, to exhibit to an officer of the police or to any policeman the permit from the Chief of Construction to make such removal, when called upon to do so, if it is claimed by any person that such permit has been granted. A failure to exhibit such permit when so called upon, shall subject the offender, on conviction thereof, to fine not ex-

ceeding one hundred dollars, or imprisonment not longer than thirty days.

Sec. 2330. Earth Replaced Must be Puddled and Packed—Duty of Chief of Construction.—It shall be the duty of the Chief of Construction in replacing any earth removed, as aforesaid, to have the same properly packed before the permanent improvements are replaced thereon, and to require each portion of the work referred to in this ordinance, including the replacement of permanent improvements, to be done by skilled workmen.

Sec. 2331. Laying of Gas Mains, Water and Sewer Pipes May 7th, 1888.—All gas mains to be laid three feet below the surface of the street, and that all water pipes be laid three and one-half feet below the surface; and all sewer pipes to be laid four feet below the surface, where it is necessary to lay such pipes.

Sec. 2332. Restoring of Fences Removed in Grading by Chief of Construction.—It shall be the duty of the Chief of Construction to restore all fences removed by the street force in grading lots as soon as practicable after such removal.

Sec. 2333. Laying of Drain Pipes—Chief of Construction. (May 19th, 1896)—It shall likewise be the duty of said Chief of Construction to lay drain pipes under fills made in the streets in front of lots in all cases where said fills will cause water to pond and stand on such lots.

Sec. 2334. Sewers Laid Under Act Nov. 8, 1889.—All sewers laid or constructed by said City shall be laid or constructed under and in accordance with the Act of the General Assembly of Georgia, amending the charter of said City, approved November, 1889.

Sec. 2335. Ninety Cents per Lineal Foot on Each Side Assessed against Property Owners.—Privilege of Abutters to Connect.—In all cases where a sewer shall be laid by or under the authority of said City in any street, the sum of seventy cents

per lineal foot shall be assessed upon the property and estates respectively abutting on said sewer, on each side of said street, on which said sewer is laid or constructed, and in consideration of the payment of said assessment, the owners of said estates shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer, and in case any such sewer is laid down or constructed through or over any private property along the course of any natural drain or otherwise, a like sum of seventy cents shall be assessed upon said property abutting on each side of said sewer for every lineal foot, making in all one dollar and forty cents for every lineal foot to be assessed upon such property through which sewers are constructed as aforesaid, and in consideration of the payment of said assessment, the owners of said estate respectively on each side of said sewer, through or over which said sewer shall be constructed, shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer.

Sec. 2336. Material, Etc. in Discretion of Mayor and General Council.—The extent and character, material used, and expense of sewers constructed, as well as the time and manner of constructing the same, shall be in the discretion of the Mayor and General Council of said City, to be subscribed from time to time by said ordinances and upon notice and in the same manner, and the assessment laid and enforced by execution, levy, sale and otherwise, as in case of ordinances and assessments for paying streets in said city, except that sewers hereby authorized may construct with or without petition by property owners when in the judgment and discretion of the Mayor and General Council the public health and good of the City shall so require.

Sec. 2337. How to Defend Against Assessments.—The remaining cost of sewers not thus assessed shall be paid out of the sewer appropriations for the year; provided, that the defendant shall have the right to file an affidavit denying the whole or any part of the amount for which the execution is issued, and stating what amount he admits to be due, which amount so admitted to be due, shall be paid or collected before the affidavit is received, and the affidavit received for the balance, and all such affidavits

so received, shall be returned to the Superior Court of Fulton County, and there tried and the issue determined as in cases of illegality, subject to all pains and penalties provided in cases of illegality for delay.

Sec. 2338. Under Government of Council as to Time and Manner of Connections.—For the preservation of all sewers in said City for the use and easement aforesaid, said Mayor and General Council shall have the authority to direct and control the time and manner in which connection shall be made with such sewers; and by whom the work is done, and upon what terms and conditions, and upon what point and to what extent surface water or drainage shall be permitted to flow into sewers, and generally all matters relating to the use and control and repairs of sewers and sewer connections, and replacing of paving and other adjacent structures in good condition, shall be at all times under the regulation and control of the said Mayor and General Council in its fair and legal discretion.

Sec. 2339. Damages of Property Owners—How Ascertained.—In case of any sewer or sewers or parts of the sewers being built or laid over or through private property, if the owner of such property claims damages for the occupation of said lands by such sewer and construction of the same thereon, such owner may, within thirty days after the adoption of an ordinance for the construction of the same thereon, give notice of such claim, but a failure to give notice of such claim shall in no wise affect or prejudice the right of such owner to bring suit for damages sustained.

Sec. 2340. Assessors Appointed—See General Laws on Subject of Condemnation.—But on giving notice of such claim of damages, as aforesaid, assessors shall be appointed to assess damages to said land by reason or on account of the construction of any such sewer through or upon the same. Said assessors to be appointed, notice given, and their award made as in cases of property taken for opening, widening or straightening streets under the charter and laws of said city.

Sec. 2341. Corner Lots to Have Deduction, When.—In the case of real estate situated on street corners, and having frontage on two streets, the owner and real estate thus situated shall be assessed by this Act provided for the frontage of the street in which a sewer is first laid, and there a sewer is laid on the other street seventy-five feet of frontage shall be exempt from assessment on the owner and real estate for the last-named sewer.

Sec. 2342. Cost of Sewer a Lien on Property.—The amount of such assessment for sewers on each piece of real estate shall be a lien on said real estate from the date of the passage of the ordinance providing for the work and making the assessment.

Sec. 2343. Notice of Kind and Line of Sewer to be Published.—The construction of all sewers under this ordinance shall be provided for by ordinance. After the first reading of an ordinance for the construction of a sewer, a notice of the introduction of the same shall be published in one or more of the daily papers of the city. Such notice shall contain a statement of the line along which the proposed sewer is to be laid, and a statement of the general character, material and size of such sewer, and said notice shall be published at least as many as ten days before the adoption of said ordinance, and said ordinance may be adopted at the next meeting after the introduction or at any subsequent meeting after said notice has been published. Substantial compliance with the above requirements as to notice shall be sufficient.

Sec. 2344. All Sewers to Be Built Under this Ordinance.—The foregoing ordinance and provisions thereof are to apply and have reference to, and be constructed in connection with each ordinance hereafter passed, for laying or constructing a sewer by or under the authority of said city.

Sec. 2345. In Case of Abandoned Culverts, Etc.—(See Section 2357). The Board of Health of the City of Atlanta is hereby authorized to require the owners or agents in charge of property in front of which new sewers are built, to take the place of old

culverts, abandoned for sewerage purposes, to quit using the old culverts for drainage purposes, and to connect their drainage with the new sewers.

Sec. 2346. Sewer Connections.—All connections hereafter made with sewers having "Y's" already prepared for lot connections, shall connect with such "Y's" and not put in other "Y's" for the purpose of making such connections.

Sec. 2347. Violation of Above Ordinance—June 10, 1892.—A violation of this ordinance shall be punished by a fine not exceeding fifty dollars, or imprisonment not exceeding thirty days, or both these penalties, in the discretion of the Recorder's Court.

PRIVATE SEWERS—REGULATIONS.

Sec. 2348. Private—Permits for—Profile—Chief of Construction—Inspectors—Pay.—No private sewer shall be laid in the streets or public places of the City without application shall first have been made for a permit or grant therefor to the Mayor and General Council. Each application shall be accompanied with a profile or sketch showing the street or public places to be entered, the part thereof to be occupied by such sewer, the grade of same, its extent and this shall bear the approval of the Chief of Construction. When such application shall have been granted, same shall be inspected during its construction and while the work is in progress, by an Inspector appointed by the Chief of Construction. The compensation of said inspector shall be paid by the applicant, at such times as may be designated by the Chief of Construction. Upon refusal to pay such compensation, the permit or grant granted such applicant shall ipso facto cease and be of no effect. Any work done under such permit or grant, the applicant having failed to comply with this provision, shall constitute an offense and subject the applicant, his agents or employees to the penalty fixed in following section.

Sec. 2349. Penalty.—Any person or their agents or employees, constructing private sewers, or continuing same after failure to comply with the provisions of the foregoing section, shall be deemed guilty of an offense, and each day any work is done

on said sewer shall be held a separate offense and on conviction thereof in the Recorder's Court, shall be punished by a fine not exceeding one hundred dollars, or sentenced to work upon the streets or public works for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2350. Permits for—No Charge.—Permits for entrance into such private sewers shall be granted by the Chief of Construction in the same manner as permits are granted for entrance into public sewers, but no charge shall be made by the City for sewer assessments or for any sum on account of the construction of private sewers.

Sec. 2351. Conditions—Public Sewers, Must Pay For—Assessments.—All permits for the construction of a private sewer or for connection therewith shall be granted and accepted upon condition that thereafter when the City constructs a public sewer the abutting property-owners shall be subject to an assessment, in the manner provided by the charter and ordinances of the City, without regard to the existence of or connections of such private sewer, and such applicants shall agree not to obstruct the construction of or collection of assessments for such subsequent public sewers or such connections as may be required therewith by the Mayor and General Council.

Sec. 2352. Plans—Profiles—Contents — Y's.—All plans or profiles submitted, as herein ordained, for the construction of private sewers shall exhibit the location of Y's therein so that any subsequent connections can be easily made without any more disturbance to the street surface than is necessary.

Sec. 2353. Connections—Charge Same as City.—All persons or their assigns constructing such private sewers connecting with City sewers shall not charge abutting property owners or their assigns any more for connecting therewith than such price as may be fixed by the City for or on account of assessments for the construction of lateral or public sewers in streets.

Sec. 2354. Sub-divisions—Private Sewers in—Profiles of, Filed.—The owners or parties representing owners in charge of

properties subdivided and which are served with private sewers at the present time shall at once file with the Chief of Construction, plans or profiles of all private sewers serving such property where laid in streets or public places and these plans or profiles shall be preserved by the Chief of Construction for the information of the public and subsequent purchasers.

Sec. 2355. Public Sewers, When Laid, Paid for—No Deduction.—If a sewer is laid by authority of the Mayor and General Council, adjacent to property served by a private sewer and following the construction of any private sewer, the assessments assessed for the construction of the municipal sewer shall be paid without deduction for or on account of the existence of such private sewer and connections shall be made with the municipal sewer, laid as aforesaid, whenever ordered by a resolution of the Mayor and General Council or by officers acting under ordinance passed by said General Council, without deduction or claim on account of connections already had with such private sewer.

Sec. 2356. Size—Material—Form—Plan—Others May Connect—City Connects.—All private sewers constructed under this ordinance, shall be of a size, of material, form and manner, conformable to the plan of the City for the general system of sewers and sufficient to serve all the sewerage along the line of such sewer, and the owner or builder of such private sewer shall permit any abutting property-owner to enter same upon paying a sum for his frontage equal to the sums charged by the City or by its assessments for the construction of municipal or public sewers, and where the City desires to connect therewith, at either end, for through service some equitable adjustment shall be made therefor.

OLD CULVERTS.

Sec. 2357. Penalty for Failure to Comply with Notice.—Any property owner or agent in charge of property, notified by the Board of Health to quit using the old culverts and to connect their drains with the new sewers, failing to connect their drainage with the new sewers, or continuing to use the old culverts for drainage purposes for a longer period than twenty days after

service of notice, shall be punished, on conviction before the Recorder's Court, by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

CONNECTIONS.

Sec. 2358. Connections when Made Shall Be Indicated by the Committee on Sewers and the Chief of Construction to the Board of Health.—Connections shall not be required or permitted to be made with any sewer already laid and not connected with until such time as shall be indicated by the Committee on Sewers and the Chief of Construction to the Board of Health, which connections shall be required and made as by existing ordinances provided.

Sec. 2359. Ordinances allowed Sixty Days to Make Sewer Connections.—All persons shall be allowed sixty days within which to make connection with any sewer that may be laid in front of their property, by the authority of said Mayor and General Council.

Sec. 2360. Surface Closet Limits—Unlawful to Maintain Outside.—It shall be unlawful for any person, owner or tenant, their agents or employees, to have, maintain or use surface closets on any lot or in any place within the limits described as follows:

Beginning at a point at the corner of Decatur and Bradley streets, and thence running along Bradley street to Edgewood avenue; thence along Edgewood avenue to Randolph street; thence along Randolph street to North avenue; thence along North avenue to Gray street (North avenue as just described, means East and West North avenue); thence along Gray street to Simpson street; thence along Simpson street to Vine street; thence along Vine street to Beckwith street; thence along Beckwith street to Chestnut street; thence along Chestnut street to Greensferry avenue; thence along Greensferry avenue to Culver street; thence along Culver street to Ella street; thence along Ella street to Chapel street; thence along Chapel street to Humphries street; thence along Humphries street to Stephens street; thence along Stephens street to Cooper street; thence along Cooper street to Ormond street; thence along Ormond street to

Cherokee avenue; thence along Cherokee avenue to Glenwood street; thence along Glenwood street to South Boulevard; thence along South Boulevard to Bryan street; thence along Bryan street to Pearl street; thence along Pearl street to Delta Place; thence along Delta Place to Decatur street; thence along Decatur street to Bradley street; and in addition to the above described territory, said limits shall extend beyond the streets as above described by distance of 150 feet from the center of the several streets described as forming the above boundary. The territory included within the boundary of said streets and for a distance beyond same for 150 feet from the center of said streets shall be known as the inner sanitary limits.

Sec. 2361. Penalty.—Any person, firm or corporation, owner or tenant, their agents or employees violating the provisions of foregoing section of this ordinance, shall on conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars or sentenced to work on the public works of said City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2362. Time Of—Enforcement.—In order that ample time may be given for making sewer connections for all the premises included within said inner sanitary limits, this ordinance shall become effective on and after May 1, 1911.

CHAPTER LXXX.

SHOOTING GALLERIES.

Sec. 2363. License to Be First Deposited and Permission Granted before Any Shooting Gallery Can Begin Operation.—Any and all persons desiring to open a pistol or shooting gallery in the City of Atlanta shall first deposit with the Clerk of Council one hundred dollars license tax, and then make a written application at a regular meeting of the Mayor and General Council, who shall grant a permission, if they see proper.

Sec. 2364. After License Issues—Subject to All Restrictions and Liabilities—Violations Punished.—Any and all persons having obtained a license shall be subject to the same restrictions and liabilities, both as to orderly houses, days and nights, that retailers of spirituous liquors are; and for any violation shall be tried and punished the same way.

Sec. 2365. Unlawful for Minors to Shoot.—It shall not be lawful for persons conducting any shooting gallery to allow minors, except hereinafter provided, or drunken persons, to practice shooting, under a penalty of a fine not exceeding one hundred dollars, and cost of trial, or be imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2366. Minors May Practice—When.—It shall be lawful to allow minors with the written consent of their parents or guardians to practice shooting at any of the regularly licensed shooting galleries of this City.

CHAPTER LXXXI.

SHOWS, CIRCUS PERFORMANCES, RINKS, FLYING JENNIES, ETC.

Sec. 2367. Skating and Other Rinks—Regulation of License.
 —No license shall be issued by the Clerk of Council to any person, firm, or corporation, for skating rinks, walking rinks, or rinks of like character except by order of the Mayor and General Council. Any person, firm or corporation desiring such license shall make application to Council for such license, stating the location, size and the kind of structure to be used, and the same shall be acted on by the Mayor and General Council at their discretion.

Sec. 2368. Throwing Rings—Lung-Testers—Flying Jennies, Etc.—Persons using as a source of profit devices known as throw-balls at figures, \$50.00 per annum. Other devices, such as throwing rings, machines for testing the lungs, strength, etc. \$25 per annum, payable quarterly, and no license to be issued for less than full price of one quarter. No license shall be issued for any game of chance. Persons using "flying jennies" (amount, conditions, and price of license to be fixed by the Mayor and General Council, and no license to issue in residence sections except by consent of all heads of families living within one block in every direction; not to apply to amusement parks); provided, no game of chance is played thereat; and provided, further, such person obtaining such license shall pay the expenses of a policeman to be selected by the Police Commissioners, and subject to the control of the Chief of Police.

Sec. 2369. Circuses—Sleight-of-Hand Performances—Regulations as to License and Admission.—All circus shows exhibiting, or which parade streets in this City, which charge more than seventy-five cents for admission, including the best reserved seats, shall pay a license tax of five hundred dollars for each day or part of day; and shall pay an additional license of one hundred dollars for day or part of day to cover any and all side shows,

sleight-of-hand performances, throwing balls at figures, throwing rings, selling popcorn, lemonade and similar things, by shows and parties connected with and forming a part and parcel of said circus show.

Such circus shows charging more than fifty cents, but not over seventy-five cents for admission, including the best reserved seats, shall pay a license tax of four hundred dollars per day or part of day, with an additional license of one hundred dollars per day for side shows, etc., as above provided.

Such circus shows, charging not over fifty cents admission, including the best reserved seats, shall pay three hundred dollars per day, and one hundred dollars additional for side shows, etc., as herein stipulated: provided, however, that said license shall not permit or authorize such circus shows or side shows or any person connected therewith, to operate any gambling or gaming device or other device prohibited by law.

Sec. 2370. Wild-West Shows—Pay License.—Wild-west shows shall pay a license of two hundred dollars per day or fraction thereof.

Sec. 2371. Further Regulation of Circuses, Shows, etc.—Any person, firm or corporation, agent or employee thereof, having in charge any of the following shows or exhibitions: namely, circuses, horse-shows, dog-shows, and similar exhibitions to which tickets are sold, or to which the public is invited, selling tickets, giving passes, or issuing invitations or otherwise permitting or inviting the general public into such exhibitions in numbers in excess of the seats prepared therefor, or for failing to provide means of access to and from such seats, such as exits, etc., or permitting such passages or exits to be crowded after the tent or doors, or gates are opened, shall be deemed guilty of an offense in each instance and on conviction thereof in the Recorder's Court, be punished by a fine not exceeding One Hundred Dollars or imprisoned upon the public works not exceeding thirty days, either or both of these penalties to be inflicted in the discretion of the Recorder.

Sec. 2372. Agents—Employees.—Any agent, employee or other person aiding or assisting the managers or owners of such exhibitions to overcrowd their tents or otherwise violating this Section, shall, on conviction in the Recorder's Court, be punished in the same manner as provided in the preceding section.

CHAPTER LXXXII.

SINKING FUND COMMISSION.

Sec. 2373. Sinking Fund Created—How Composed—Ex-officio Members.—A Sinking Fund Commission for the City of Atlanta is hereby created, in conformity to the law of the State, which Commission shall be composed of three freeholders of the City of Atlanta, and of which the Mayor and Chairman of the Finance Committee shall be additional and ex-officio members.

Sec. 2374. Terms of Members (Elective) of the Commission—Vacancies—How Filled.—The term of office of the elective members of said Commission shall be six, eight, and ten years. The Mayor and General Council, at the time of electing the first members of said Commission, to designate which member elected shall hold each of the respective terms, and all vacancies occurring by the expiration of the terms of the members first elected, shall be for terms of ten years; provided that any person, who shall be a member of said Commission, shall vacate his office by ceasing to be either a freeholder or a resident of the City of Atlanta. Vacancies occurring in said Commission, otherwise than by the expiration of the term of office, for which an elective member has been chosen, shall be filled by election by the Mayor and General Council, for the unexpired term. The ex-officio members of said Commission shall only hold during the term of their office as Mayor and Chairman of the Finance Committee, respectively.

Sec. 2375. How Funds Are to Be Invested—How Warrants Are to Be Drawn on Sinking Fund Account—By Whose Order.—It shall be the duty of the Sinking Fund Commission to organize immediately after their election, and, immediately on their organization, to invest the funds now in the Sinking Fund of the City of Atlanta in interest-bearing bonds of the City of Atlanta, of the State of Georgia, or of the United States of

America, and afterwards to invest all accretions to said sinking fund in the designated securities. All bonds bought by the said Commission shall be registered as the property of the City of Atlanta, in accordance with the laws regulating the registration of bonds of the City, State, or Federal Government. Funds awaiting investment by the Sinking Fund Commission shall be kept in the Treasury of the City of Atlanta, or other designated depository of the City of Atlanta. No warrant shall be drawn on the Sinking Fund account except at the request of the Sinking Fund Commission, on regular City vouchers on that fund, such vouchers giving an accurate description by name, numbers, and amount of the bonds to be purchased for investment of said Sinking Fund, such vouchers to be receipted for by the Sinking Fund Commission in triplicate, the original to be retained by the City Comptroller, the duplicate by the Mayor, and the triplicate by the Sinking Fund Commission. The warrant based on said vouchers to be signed by the Mayor, and countersigned by the City Comptroller, and made payable to the order of the Sinking Fund Commission. Then the City Treasurer is authorized to pay such warrant. Whenever the Sinking Fund Commission may desire to change the investment they have made, it shall be competent for them to do so, but the money obtained by such sale must immediately be deposited by them with the City Treasurer, and placed in the Sinking Fund account, taking duplicate receipts, retaining the original, and reporting the transaction to the City Comptroller accompanied with the duplicate receipt of the Treasurer.

Sec. 2376. Commission Shall Require the Mayor and General Council to Conform to the Requirements of this Ordinance.—It shall be the duty of the Sinking Fund Commission to require that the Mayor and General Council shall at all times comply with the requirements of the ordinances, now of force, creating a Sinking Fund, and with any other ordinances, that may be hereafter passed, enlarging said Sinking Fund.

Sec. 2377. Clerk of Council to be Clerk of Commission—Keep Minutes—Treasurer Keeps Accounts—Records—How Kept—Transfer of Funds—When.—The Clerk of Council of the City of Atlanta shall be the Clerk of the Sinking Fund Commis-

sion, and shall keep minutes of its proceedings, and the Treasurer of the City of Atlanta shall keep the accounts of said Sinking Fund Commission on his official books as Treasurer of the City of Atlanta, and shall receive and keep an account of moneys of the City of Atlanta in the Sinking Fund provided for the redemption of bonds separate from his accounts of the general fund of the City of Atlanta. In ample time before the maturity of any City of Atlanta bonds, for which payment has been provided by the creation of a Sinking Fund, the Sinking Fund Commission shall instruct the City Treasurer to transfer a sufficient amount from the Sinking Fund Account to the Bond Account, to pay such maturing bonds; and such action to be reported to the City Comptroller by the Sinking Fund Commission, and the City Treasurer the same day such transfer is ordered.

Sec. 2378. Interest and Premiums to Be Added to Sinking Fund—Except of City of Atlanta Bonds.—All accretions to said Sinking Fund from interest or from premiums on bonds sold shall be added to said Sinking Fund, and invested in interest-bearing securities, as hereinbefore designated in this ordinance by said Sinking Fund Commission. Such accretions, premiums, or interest, so deposited with the City Treasurer shall be reported to the City Comptroller by the Sinking Fund Commission, and the City Treasurer the same day such deposit is made, with duplicate receipt. All premiums on sale of bonds by the City of Atlanta and also all interest on bonds of the City of Atlanta, registered and held by the Sinking Fund Commission in trust for the City of Atlanta, shall not be paid to said Commission, but shall be retained by the Mayor and General Council of the City of Atlanta, and used by it in the payment of the current expenses of said City, but all other accretions than those obtained from City of Atlanta bonds, shall go to the credit of the Sinking Fund, as heretofore provided.

Sec. 2379. Purpose of Creating Sinking Fund Distinctly Defined.—It is the intent and purpose of this Ordinance to create a Sinking Fund, which shall, by annual accumulation, pay off the bonds issued since the year 1877, which aggregate \$810,000.00 (1903), and for the payment of which no Sinking Funds were provided at the time of their several issues. There are now in

the hands of the Bond Sinking Fund Commission \$83,810.00 for this purpose, and the annual deposit of \$30,258.00 hereto provided by this ordinance (see section 2381), will accumulate in 24 years—say from 1903 to 1926, both inclusive—\$726,192.00, making the sum of \$810,002.00.

Sec. 2380. Respect, in Which This Ordinance May Be Amended.—This ordinance shall have the force and effect of law, and shall be held and considered as part of the contract between the City of Atlanta, and the acceptors or holders of bonds sold by said Sinking Fund Commission, or of bonds hereafter sold, to which the Sinking Fund is applicable, and the City of Atlanta shall not alter this ordinance except to make provision for additions to the Sinking Fund from time to time, as may be necessary to fully meet the requirements of law with respect to outstanding bonds to be hereafter sold.

Sec. 2381. Amount to be Annually Set Apart to Sinking Fund.—Beginning with the year 1903, and continuing annual through succeeding years until and including the year 1926, \$30,258.00 shall be placed in the Sinking Fund and invested by the Sinking Fund Commission to pay as they become due bonds of the City of Atlanta issued since the adoption of the Constitution of Georgia in 1877, and for which no sinking fund had been previously provided.

Sec. 2382. Bonds to Be Paid Off—How.—It shall be the duty of the Mayor, City Comptroller, Treasurer and the Finance Committee of the General Council to pay from the Sinking Fund so provided for the principal of each and every series of bonds of the City of Atlanta issued under authority of the Constitution of 1877, and law pursuant thereto, as such bonds mature.

Sec. 2383. Sinking Fund Above Provided for in Addition to Those Heretofore Created.—The Sinking Fund above provided for shall be in addition to those heretofore created, and at present maintained.

CHAPTER LXXXIII.

SPECIFICATIONS—STANDARD FORMS.

Sec. 2384. Specifications for Catch-Basins and Man-Hole Covers—Valves for Sewers.—All castings shall be of tough gray iron, free from injurious cold shuts or blow-outs, true to pattern and of workmanlike finish and made in accordance with the patterns now in use, or of such other designs as may be furnished or approved by the City Engineer.

Bids for 8, 10 and 12 inch valves shall be made at a specified price for each delivered on the work. Valves to be complete, including rod, and water tight when closed.

Bids will be made in a specified amount per pound for catch-basin and man-hole covers, steps, grates and frames, delivered on the work on the order of the Chief of Construction.

The castings must not exceed the following weights:

Man-hole castings, solid covers, each 451 pounds.

Man-hole castings, perforated, each 432 pounds.

Corner catch-basin covers, each 381 pounds.

Square catch-basin covers, each 374 pounds.

24x36 inch grates and frames, each 350 pounds.

Catch-basin bars, wrought iron, $2\frac{1}{2} \times 1\frac{1}{2} \times 3$ feet, 11 pounds.

Steps, per dozen, cast iron, 96 pounds.

A certified check payable to the City Clerk in the sum of five hundred (\$500.00) dollars must accompany each bid, to be forfeited to the City of Atlanta in case such bidder, after the acceptance of his bid, shall not furnish the required bond and execute the contract within ten days after the award of the work. Check to be returned to bidders after the contract is executed.

Security company bond in the sum of five hundred (\$500.00) dollars satisfactory to the Mayor will be required for the faithful performance of the contract with all the requirements of these specifications.

The right is reserved to cancel the contract for the work called for under these specifications September 30th, 19...., or extend the same to December 31st, 19....., to be determined by the Mayor and General Council at any time during the progress of the work.

The right is reserved to reject any or all bids.

CEMENT.

Sec. 2385. Specifications for Cement.—For such trunk and lateral sewers as may be ordered built during the year, not including such sewers as may be provided in the proposed bond issue.

1. The Portland cement must be properly seasoned, neither too fresh or too stale, must show no signs of swelling after being mixed. It must be in the original packages and be free from injury by moisture or other causes. Not less than 98 per cent. to pass through a 50-mesh sieve, and not less than 92 per cent. to pass through a 100-mesh sieve.

2. When made up into wedge shaped pats about three inches in diameter and one-half an inch thick at the center and tapering to a fine edge, the cement must show no signs of cracking or warping after it has had its final set, when placed in boiling water for six (6) hours, or in water at normal temperature for twenty-eight (28) days.

3. The tensile strength shall be as follows:

1 day (in air until hard set, rest of day in water), neat cement, 200 pounds.

7 days (in air 1 day, in water 6 days), 1 cement to 3 sand, 125 pounds.

7 days (1 day in air, in water 6 days), neat cement, 500 pounds.

28 days (in air 1 day, in water 27 days), neat cement, must show appreciable increase.

28 days (in air 1 day, in water 27 days), 1 cement to 3 sand, 200 pounds.

4. Samples of cement must be submitted to the Chief of Construction for testing before the bid is filed.

5. Cement shall be tested during the progress of the work and samples furnished in such manner as may be required. All cement not coming up to the requirements of these specifications will be condemned and must be immediately removed from the work.

6. The contractor must furnish the cement to any part of the work and in such quantities and at such times as the Chief of Construction may direct and only upon the written order of said Chief of Construction.

7. Bids to specify the price per hundred pounds at which the cement is furnished and to be weighed on the City public scales.

8. The contractor will be required to give a Security Company bond satisfactory to the Mayor in the sum of one thousand (\$1,000.00) dollars for the faithful performance of the contract, and in case of failure to furnish cement in such quantity and at such times as is required, he and his bondsmen will be held responsible for any damages the City of Atlanta may sustain by reason of such delay and shall also be responsible for any amount the City may have to pay to furnish the cement over and above the contract price.

9. The Chief of Construction's estimate of cement required is 4000 barrels, but this estimate is merely approximate and is not to be held as entitling the contractor to any claim for extra time in furnishing the same or to any claim for damages if the quantity should prove to be greater or less than here estimated.

10. Payments will be made on monthly statements rendered by the contractor, showing weighers certificate and receipts of foremen for whom material was ordered.

11. A certified check payable to the City Clerk in the sum of five hundred (\$500.00) dollars must accompany each bid, to be forfeited to the City of Atlanta, in case such bidder to whom the

work is awarded shall fail to execute the contract and give bond to the satisfaction of the Mayor within ten days after the award of the contract. Checks to be returned to bidders after the contract is signed.

12. The right is reserved to cancel this contract for the material called for under these specifications September 30,, or extend the same to December 31st,, to be determined by the Mayor and General Council at any time during the progress of the work.

CURBING AND SIDEWALKS.

Sec. 2386. Specifications for Curbing and Sidewalks.—1. Bids will be received for granite curbing, concrete curbing, brick sidewalks, sheet cement sidewalks, and hexagonal tile sidewalks. All work to be done in accordance with the specifications as provided herein.

2. Bids will be considered separately on every item called for and the right is reserved to reject any or all bids; and the right is further reserved to divide the work and award part of it for granite curb and part for cement curb and also to divide the sidewalk work and award part of it for brick and part for sheet cement or tile.

3. Any material which does not in the opinion of the Chief of Construction or Inspector fully comply with these specifications will not be received and must be removed from the work immediately.

4. All material placed on the street will be at the contractor's risk and he shall hold the City harmless from any and all damages resulting from the obstructing of the street or streets during the progress of the work.

5. Bids will be made giving the property-owners the option of paying all cash, or one-fourth cash and the balance in three equal annual installments of one, two and three years at 7 per cent. interest per annum.

6. Bond in the sum of three thousand (\$3,000.00) dollars satisfactory to the Mayor will be required for the faithful performance of the contract and in the event the contractor does not enter upon the work on the different streets within ten days after written notice from the Chief of Construction and prosecute the same in good faith to completion, it shall then be lawful for the Street Committee to relet the work, or put a day force on and complete the same, and the contractor and his bondsmen shall be responsible to the City for the cost of the work over and above the price at which the contract was awarded.

7. A certified check payable to the City Clerk in the sum of five hundred (\$500.00) dollars must accompany each bid, to be forfeited to the City of Atlanta in the event such bidder shall fail to properly execute the contract within ten days after the award.

8. Any person who appears to the Chief of Construction to be incompetent or disorderly shall be discharged immediately on the request of the Chief of Construction and such person shall not again be employed.

9. All grading will be done by the Chief of Construction, but any damages caused to such grading by washing or otherwise, occasioned by the delay of the contractor to furnish material and lay sidewalks, shall be repaired at the contractor's expense.

10. Bids will be made per lineal foot for the curbing and per square yard for the sidewalks.

11. The sum of eight cents per square yard will be allowed for furnishing sand and relaying the old sidewalk necessary to remove, to make the old work correspond with the new.

12. Cement used in the work shall be of the best brand of Portland Cement capable of withstanding a tensile strength of 500 pounds per square inch when mixed neat and allowed to stand 24 hours in air and 6 days in water; samples must be submitted in ample time for test before the work is commenced, and also during the progress of the work.

13. Sand used shall be of the best quality of clean, sharp sand, free from loam, sewage contamination or other extraneous matter.

14. Stone for concrete shall be of hard, sound and durable stone, broken to measure not more than one-inch in any direction and must be free from dust, so that the proportion called for in the specifications can be rigidly adhered to without being weakened by sand and dust in the stone.

15. All paving around openings and fixtures must be done in a neat and workmanlike manner, and all openings or spaces exceeding one square foot are to be deducted from the measurement of said work and no allowance shall be made for the same.

16. No charge shall be made by the contractor for hindrance or delay from any cause during the progress of the work embraced in these specifications; nor shall any claim be allowed for extra work unless the same shall be done in pursuance of a written order from the Chief of Construction. Any work not herein specified, which may be fairly implied as included in this contract, of which the Chief of Construction shall judge, shall be done by the contractor without extra charge.

Sec. 2387. Granite Curbing.—1. Curbing shall be five inches thick, not less than 18 inches in depth and not less than five feet long and made of hard and durable stone.

2. Must be uniformly and evenly drafted to a perfect line on top surface and sides for a depth of one inch from the corners and then closely pointed to a perfect surface corresponding to the draft on top and sides to a depth of ten inches on the face next the roadway and four inches on the face next the sidewalk. Quarry surfaces will not be received. Curbing must show full joints on the ends for the entire depth of the curb so that when the curb is set in line a perfect joint will be made from top to bottom of the curb. Curb must show not less than 4 inches in thickness at the base for the full length of the stone.

3. Top surface must be so dressed as to make a right angle with the face next the roadway.

4. Curbstone to be cut on a curve at the corners, with true and even joints to be of the same description as curbing before mentioned or described, with a radii as directed by the Chief of Construction. Twice the price of straight curb per foot will be allowed for circle curb and this applies only to granite curb.

5. Curbing must be set to the lines and grades as given by the Chief of Construction and thoroughly rammed and mauled in place and any settling that occurs within six months after the completion of the work must be corrected at the contractor's expense on the requirements of the Chief of Construction, unless it is apparent that the settlement was not caused by the contractor's negligence.

6. The sum of three cents per lineal foot will be allowed for any curb ordered reset by the Chief of Construction, necessitated by the change of grade after the curb has been set originally, and this to apply only to streets where new curbing is set.

7. All curbing shall be similar in every respect, except as to length, to sample at the Chief of Construction's office, of hard, durable granite, out of wind, and dressed to the true line and surface as above described.

Sec. 2388. Concrete Curbing.—1. Shall be five inches in thickness, 18 inches in depth and cut through in lengths of approximately 12 feet. It shall be composed of one part Portland Cement and two parts of sand and four parts of broken stone, or approved gravel, all as above described, thoroughly incorporated and rammed in position so as to form a compact mass of material. The top 10 inches next to the gutter and the top surface of the curbing to be finished with a grout of neat cement to be put on the face by inserting a flat sharp spade between the concrete and the form and filling this space with the grout. The top to be trowelled to a smooth and true surface with neat cement and the edges rounded with a beveling trowel. All to be done before the concrete takes its initial set, so as to form a compact and homogeneous mass. No plastering will be allowed after the cement has set. Curved concrete curb will be paid for at the same price per foot as straight curb.

2. All boards used both in the front and back in making forms must be smooth and true to line and long stretches of these forms must be erected before beginning the concrete, to insure perfect alignment and grade. These boards for front and back, except on curves, must not be less than 2 inches thick, substantially put together and braced, and as soon as they become warped or out of line, must be discarded and new and good boards put in their place.

3. The work must be done in an expeditious manner to avoid premature setting and the finished surface must be thoroughly protected from the sun or weather. Any disfigured work must be immediately repaired while green, and if allowed to set must be taken up and replaced with new work.

SEWERS.

Sec. 2389. Specifications for Sewers.—1. Excavations. The ground shall be excavated in open trenches, three (3) inches wider on each side of the exterior diameter of the sewer, at the springing line of the arch, and the invert shall be cut to the exact size and shape of its extrados.

2. Rock Excavations.—Wherever rock is encountered in excavating these trenches, it shall be stripped of earth in sections of not less than fifty (50) feet, and the Chief of Construction in charge duly notified in order that he may measure or cross-section same. All rock removed before such measurement is made, or rock exterior to the lines herein prescribed, will not be estimated. When rock is blasted it shall be removed, at least 30 feet in advance of the laying of the sewer, and (3) inches outside of the lines of the extrados of the invert of the sewer. Only such ledges of rock as require blasting for its removal, and boulders of one-half cubic yard or more, in volume, shall be estimated as rock excavation. After the removal of the rock as above specified, the trench shall be filled with sand or gravel to the level of grade, thoroughly rammed. In all cases of blasting the blast shall be covered with heavy timbers and brush. Whenever a line of main water pipe intersects the lines of the trench, any rock necessary to be removed for a distance of five feet in the

clear, on each side of the main pipe, shall in all cases be removed without blasting.

3. **Drainage.**—The contractor... shall at his... expense keep the excavation clear of water, while the foundations, masonry or pipe are being laid, and shall do all pumping, bailing, forming of dams or other work necessary. In affecting the drainage the water shall not be allowed to flow over the invert sewer, except under special conditions for protecting the work, approved by the Chief of Construction.

4. **Shoring.**—The contractor... shall furnish and put in place at his own expense suitable sheet piling and bracing wherever necessary to support the excavation. The sheeting and bracing shall be removed as the work progresses in such a manner as to prevent the caving in of the sides of the excavations; and while being drawn all vacancies left by the plank shall be filled by ramming with special tools, as may be directed by the Chief of Construction. The sheeting shall be drawn to the level of the springing line, before any filling is placed on the arch, when the Chief of Construction directs. Second or inside sheeting shall be used whenever directed by the Chief of Construction. The second sheeting shall be drawn before any filling is placed on the arch, and in all cases the space left by the plank shall be filled with sand and thoroughly rammed. The Chief of Construction may order the sheeting and bracing left in, when, in his opinion, it is necessary for the protection of the work, and such lumber shall be paid for. The contractor... shall at... own expense, shore up, protect and restore, and make good, as may be necessary, all bridges, buildings, fences, sidewalks, walls or other properties, which may be disturbed or injured during the progress of the work; and the said contractor... will be held responsible for all damages which may happen to neighboring properties or in any other way from neglect of this precaution.

5. **Passage way on sidewalks to gates, etc., shall be kept open.**—The material excavated shall be laid compactly on the side of the trench and kept turned up so as to be as little inconvenience as possible to public travel or the adjoining tenants and so that free access may be had at any time to all hydrants and gates. In

case the street is not wide enough to throw the earth without stopping the passage-way on the sidewalk, the contractor. . . . shall at. . . . own expense erect a board fence and keep a passage-way of two feet six inches open on the sidewalks.

6. **Back filling.**—The work shall be back-filled carefully and packed and rammed under and around the sewers with proper tools. The back-filling to the level of the springing line of the arch shall be done before the arch is turned. In refilling all the trenches, the earth shall be faithfully rammed in layers of not more than six inches in depth with heavy rammers. Whenever the material excavated from the trenches is, in the opinion of the Engineer, not suitable for filling around the sewer, the contractor shall at. . . . own expense, provide satisfactory material. Whenever any back-filling is done, the number of men back-filling shall never exceed the number of men ramming.

7. **Foundation.**—If, in the opinion of the Chief of Construction, the material at or below grade is of an improper nature for a foundation, it shall be removed to such depth and width and in such manner as he may direct, and other material, as directed by him, put in its place.

8. **Cement Mortar.**—The cement mortar shall be composed of the best quality of Portland cement, mixed in the proportion of one part—by measure—of cement, to four parts—by measure—of clean, sharp sand, free from loam, unless otherwise directed by the Chief of Construction. The cement and sand shall be carefully mixed dry, the water afterwards added, and the mortar made fresh for the work on hand. Any mortar that may be left over night or that may have been standing more than two hours is not to be retempered and used in any way. Water used for cement shall be free from sewerage or other contagious contaminations.

9. **Concrete,** when required, shall be composed of one part of cement, $2\frac{1}{2}$ parts sand (made as previously described), and five parts of clean gravel, or broken stone free from dirt or dust, unless otherwise directed by the Engineer, and broken so as to pass through a two-inch ring. It shall be quickly and thoroughly

mixed, and immediately deposited in place, thoroughly rammed, after which there shall be no walking or working over it before it is sufficiently set.

10. **Rubble Masonry.**—Rubble stone masonry, when required, shall be built of sound and durable quarried stone, of shape and form to make neat and substantial work of this class. They shall be thoroughly cleaned of earth and dust, and be bedded in cement mortar, of the quality already described. Every joint and space being well filled with mortar; no spawling up under a stone will be allowed. The headers must be of sufficient size and frequency to insure a strong bond.

11. The brick masonry shall be constructed of brick equal to the best Chattahoochee River clay, burned hard entirely through regular and uniform in shape and size, and laid in cement mortar of the quality before specified. They shall be culled as they are brought upon the ground, and all brick of an inferior quality, and all bats shall be immediately removed. Every brick shall be thoroughly wet immediately before being laid and shall have full cement joints under bottom, sides and ends, which for each brick shall be formed at one operation, and in no case shall it be made by working in the mortar after the brick is laid. Every course of brick shall be laid to a line with the beds in the line of the radii of the curve, and with joints not exceeding one-quarter of an inch for the face work. No bats shall be used, except in man-holes as closures only. In laying the sewers the best skilled mechanics only shall be employed. The brick sewers shall conform in shape and dimensions to the cross-sections shown on the plans, models and drawings on file in the Chief of Construction's office. All unfinished work must be toothed, and when new work is added to it the brick must be scraped thoroughly clean, and well moistened. All joints on the interior of the sewer shall be scraped and pointed while the mortar is fresh, and the work left in a neat and smooth condition.

12. **Centers and Templets.**—All centers and templets shall be strong and smooth, and conform to sections as shown by drawings on file in the Chief of Construction's office, and before use shall be scraped clean. The center shall not be drawn until the

back-filling is at least two feet (2 ft.) above the top of the arch, without the permission of the Chief of Construction.

13. Man-holes.—Man holes and catch-basins shall be constructed of such size and at such places as the Chief of Construction may direct. They shall be built to conform to the plans, drawings and models of the same on file in the Chief of Construction's office. The walls shall be worked up within nine inches (9 in.) of the arch of the street, where the opening shall be twenty-two inches diameter. Projections of iron or brick, as the Chief of Construction may direct, fifteen inches apart to serve as steps, shall be built in the sides of the manholes as shown on the plans, or as the Chief of Construction may direct. The iron to be furnished by the city. All manholes and catch-basins shall be built of brick.

14. Timber Foundations.—Foundation plank, cradling or platform of good heart pine shall be furnished, excavated for and laid in the manner shown on the drawings or as directed by the Chief of Construction as the work progresses.

15. Pipe.—The pipe for pipe sewers and pipe connections with brick sewers, shall be of the best vitrified salt glazed sewer pipe, shall be homogenous in texture, and burned hard entirely through. The area shall not be less than that of a circle of the specified diameter, and the variations in diameters shall not exceed 3 per cent., and in no case be more than one-half of one inch. No pipe shall be used which varies from a straight cylinder more than three-eighths of an inch in two feet. The pipe must be fitted together before being laid in the trenches, so as to form a true and smooth line on the lower part of the pipe when permanently laid. Joints are to be formed of equal parts of good cement (as previously specified), and clean sharp sand, mixed dry, the water afterward to be added to give it the proper consistency. The mortar to be made in small quantities as required for immediate use. The joints to be carefully wiped inside and outside, and the inside carefully cleaned of all dirt, cement and other material, by the use of a swab filling the entire base of the pipe and attached to a rod long enough to pass two joints of pipe from the end of the pipe last laid; and drawn forward as

the work progresses. The ends of pipe must be carefully protected from the entrance of earth or other material, and the excavation shall be completed fully twenty feet in advance of the pipes. Pipes having six inch Y or socket branches moulded thereon at an angle of 45 degrees for house connections, shall be laid at such points as the Chief of Construction may direct, the hubs shall be closed with vitrified stoneware covers. Pipes and Y's for lateral sewer connections shall be laid of such size and form and at such places as the Chief of Construction may direct, as the work progresses. They shall be closed with a bulkhead of brick three inches thick, or stoneware stoppers.

16. To be built water-tight and in accordance with plans.—The pipe and brick sewers shall be laid true to line and grade throughout and according to plans, drawings and models and directions furnished from time to time. All junctions, curves, bell mouths, dams and other pieces required shall be properly excavated for and laid as directed. The work must be made water-tight at all points, and any leaks or other defects discovered at any time shall be immediately repaired or that portion of the sewer rebuilt if necessary.

17. Work to be left clean.—The interior of brick and pipe sewers, manholes, catch-basins and other parts of the work shall be carefully freed from dirt, rubbish or superfluous cement, as the work proceeds, and shall be left clean and smooth upon the completion of the contract.

18. Setting Iron Work.—All casting or other iron work required shall be put in place and fitted by contractor—in the manner directed by the Chief of Construction.

19. Manner of executing work.—In no case from the commencement to the completion of the work aforesaid, without previous written permission of the Chief of Construction, shall more than two hundred feet of trench be opened in advance of the completed grading and cleaning of the street. The surplus earth, sand and rubbish remaining more than two hundred feet tractor's expense whenever the Chief of Construction may so direct, but the Chief of Construction shall allow twelve hours for

said removal after written notification thereof has been given the contractor.

20. In all cases the street must be put in as good condition after the work is done as it was before the said work was commenced. Any surplus earth or rubbish of whatever nature, whether from the sewer trenches or already existing on the street shall be removed by the contractor...and the street thoroughly cleaned up by the contractor...without extra charge.

21. **Interrupted drains.**—The contractor...shall provide for the flow of sewers, drains or water courses interrupted during the progress of the work, shall restore or make good all connections, as may be directed by the Chief of Construction, and shall close all disconnected drains with an eight-inch bulkhead of brick masonry, and be responsible for all damages caused by rains during the progress of the work.

22. **Disorderly and incompetent workmen.**—Any person employed by the contractor...who appears to the Chief of Construction to be incompetent or disorderly shall be discharged immediately on the requisition of the Chief of Construction, and such person shall not again be employed.

23. **Responsibility of Contractor.**—The contractor.....shall have charge of and be responsible for the entire line of work until its completion and acceptance, and any unfaithful or imperfect work discovered at any time before the final completion and acceptance of the work done under this contract, shall be corrected immediately on the requirement of the Chief of Construction.

24. **Rejected Material.**—All materials to be provided by the contractor.....shall be of the best description, and.....shall furnish all efficient labor and implements necessary for the full and complete performance of.....contract. If any material or implements shall be brought to the ground which the Chief of Construction or Inspector may deem to be of improper description, or improper to be used in the work, the same shall be removed by the contractor..... as soon as practicable.

25. The contractor...shall be required to conform to all the ordinances of the city of Atlanta, in relation to the obstructing of the streets, keeping open passage ways and protecting the same where they are exposed and would be dangerous to the public travel, and.....will be held responsible for all damages that the city of Atlanta may have to pay in consequence offailure to protect the public from injury, or from any damage caused by blasting.

26. **Line and level pegs.**—The contractor...shall afford the necessary facilities to the Chief of Construction for giving line and grade for the work, and shall carefully protect such lines and level marks from being disturbed.

27. **Contractor held responsible for condition of streets.**—The contractor.....will be required to execute the work in such a manner as to interrupt as little as possible the use of the streetwill be held responsible for all practicable and legal notices and signals to the public, of the condition of the street while the work progresses, and shall keep a bright red light burning during the entire night at each end of the trenches, and at such other points as may be necessary, or the Chief of Construction directs. . . shall also provide watchmen, fences and take such other precautions as may be necessary to protect life and property...shall take all risks as to the quality of excavation, also its condition as to the presence or absence of water or rock and all contingencies attending this work.

28. **Superfluous earth.**—The superfluous earth and other materials from the trenches and excavations must be deposited at such points as the Chief of Construction may direct; provided, the average haul of same shall not exceed fifteen hundred feet. The contractor... shall furnish all necessary labor to level off the superfluous material, where deposited, and at.....own expense.

29. **Power to vary work.**—The work shall be carried on in such portions as the Chief of Construction may direct, and he shall have the power also, with the consent of the City Council, to vary, extend or diminish the quantity of the work during its progress without vitiating the contract, but no part of the work

shall be altered by the contractor, . . . from that shown on the drawings or described by the specification, without the express sanction of the Chief of Construction in writing.

30. Disputes.—In case of any dispute as to the meaning of any part of this specification, the decision of the Chief of Construction, given in writing, shall be final and conclusive.

31. Omissions.—Any work not here specified which may be fairly implied as included in the contract, of which the Chief of Construction shall be judge, shall be performed by the contractor, . . . without extra charge.

32. Ring Stone.—Ring-stone for head walls shall be of cut granite, "four cut patent hammer" work, cut to exact dimensions, as shown on sections in the office of the Chief of Construction. They shall be paid for by the cubic foot, allowing a rectangular cubical form that will enclose such stone.

33. Flagging.—Flagging for bottoms of drops and man-holes will be of cut granite six inches thick and not less than five feet long, and of such widths as shown on the plans and sections, as shown in office of the Chief of Construction, and to be of "four-cut patent hammer" work.

34. Lumber.—Lumber will be of heart pine, sound in every respect, free from shakes and large knots or other defects.

35. Classification, of excavation.—All materials excavated other than that classified as solid rock, as provided in section 2 of this specification, will be classed as earth.

36. Cement will be furnished by the city, but the contractor, . . . will be held responsible for its safe keeping and protection from rain, etc. Vitrified pipe and cast-iron manholes, catch-basins, etc., will be furnished by the City.

37. Old Stone.—The contractor, . . . will be required to use the stone owned by the city in bridges, culverts, walls, etc., on the line of the work, and build them into the new work as directed

by the Chief of Construction, for which will be charged one dollar (\$1.00) per cubic yard, measured in the new work. Stone to be taken out of old work without cost to City.

38. **Extra measurement.**—No extra or customary measurements of any kind will be allowed in measuring the work under these specifications. But the actual length, areas, cubic contents or numbers shall be considered. Twenty brick to the cubic foot will be allowed in measuring the work under these specification, and one ring work will be estimated four inches thick; two ring work eight inches thick; and for every ring of brick, additional, four inches additional will be estimated for. Excavation for brick sewers will be computed six inches wider than the outside diameter of the sewer at the springing line of the arch, and in vertical sections. The excavation on pipe sewers will be computed six inches wider than the exterior diameter of the pipe.

39. **Chief of Construction.**—Wherever the word Chief of Construction is used in this specification, it refers to the Chief of Construction, or such agents as he may select, to superintend the construction of the sewers, and all explanations or directions necessary to completing satisfactorily the different classes of work contemplated and provided for under these specifications, will be given by said Chief of Construction.

40. **Contractor.**—Wherever the word contractor... is used in this specification, it refers to the party or parties of the second part, of the agreement for the construction of the work herein specified.

41. **Payments.**—Payments will be made on monthly estimates furnished by the Chief of Construction, or as provided in resolutions of Council as shown above, ten per cent. of which will be retained until the completion and acceptance of the work, but no claim whatever shall be made or allowed the contractor, for damages or interest in the event said estimates are not promptly paid by the City, or for any delay caused by the city or her agents.

42. **Completion.**—Sewers that are to be assessed against the property-holders must be completed by the first day of October of each year. Other work to be finished by the first day of December of each year.

43. **Bond.**—A security company bond in the sum of dollars satisfactory to the Mayor will be required for the faithful performance of the work in strict accordance with the requirements of the specifications.

44. **Proposals.**—Proposals must be made upon blanks furnished herewith, and all proposals will be considered informal which are not in all respects in conformity with this notice.

45. **Car tracks.**—The contractor . . . will be required to afford the necessary facilities to the company or companies owning railroad tracks, pipes or conduits on the line of the work, or to their agents, for the preservation of the same from injury, either by removal or otherwise, without extra charge therefor, and shall keep said tracks open for the passage of cars on their regular schedule.

46. **Certified Check.**—A certified check payable to the City Clerk in the sum of hundred dollars must accompany each bid, to be forfeited to the city of Atlanta in case such bidder, after the acceptance of his bid shall not furnish the required bond and execute the contract within ten days after the award of the work. Check to be returned to bidders when the contract is executed.

47. **Concrete.**—When concrete is used for the construction of sewers the proportions shall be as specified by the Chief of Construction, and shall be thoroughly rammed in position, using heavy forms and turnplates made to conform accurately to the cross-sections of sewers as furnished by the Chief of Construction, and laid true to grade and alignments. After forms and turnplates are removed the entire inner surface of the sewer must be plastered to a smooth and even surface with mortar mixed in such proportions as the Chief of Construction may direct.

A.—And it is further agreed that if any time during a period of twelve months from the date of the final estimate, the roadway over the sewers shall have settled, the contractor...shall, after three days' written notice, make such repairs, and on paved streets take up and relay the pavement to the satisfaction of the Chief of Construction, and if.....neglect....to make such repairs,and.....bondsmen shall become liable for the cost of such work.

B.—The said part.....of the second part further agrees that the return of the Chief of Construction shall be the final account by which the amounts of materials furnished, and work done in terms of this contract shall be computed, and the contractor...shall not be entitled to demand or receive payment for any work upon, in or about the said work as extra work, unless ordered in writing by the Chief of Construction to do the same as extra work, and a price therefor agreed upon previous to its commencement.

C. The said part...of the second part further agrees that in case of failure to furnish materials or execute the work in accordance with the plans and specifications to the satisfaction of the Chief of Construction, or shall not proceed with the same as rapidly as he shall direct, that it shall be lawful for the Mayor and General Council after three days' written notice so to do, served on the contractor..., to cancel this contract, and re-let the work or put a force on the same, and if the sum paid for the completion of the said contract shall exceed the amount that would have been due under the contract, then the said part...of the second part and.....sureties shall become liable to the party of the first part for any sum by which the expense of so doing the work shall exceed the sum due under this contract.

D.—The said part.....of the second part further agrees to do everything necessary to protect, support and sustain the water pipes, gas pipes, lamp post service pipes and other gas or water fixtures, telegraph, telephone and electric light and fire alarm poles which may be liable to injury in executing any of the work hereinbefore mentioned, and to have a sufficient quantity of timber constantly on the ground, and to use the same as

required for bracing and sheeting the sides of the excavations when necessary. Also to erect and keep erect a fence or railing across the ends and sides, where necessary, of the excavation, and place sufficient red lights on or near the work and keep them burning from twilight until sunrise, and also to employ a watchman as an additional security wherever necessary.

F.—The said part...of the second part further agree...to give notice at least twenty-four hours before breaking ground, to all persons in charge of water pipe, gas pipe, railroad tracks, steam pipes, conduits and fire department, etc., that may be affected by said work and to cause no hindrance or interference with such persons, company or companies in protecting their said pipes, etc.

F.—It is hereby further agreed, that in case any damage or injury shall or may result to the said water pipe, gas pipe, lamp post and other works of any persons or any company, through or by reason of any negligence, carelessness or want of skill on part of said part... of the second part, the part...of the second part shall become liable to pay such amount as shall or may be sufficient to cover the expense and damage occasioned by such negligence, carelessness or unskillfulness, and such amount shall be charged against said part... of the second part, and may be deducted from any sum or sums due or payable to said party on account of this contract and paid by the party of the first part or parties entitled thereto.

G.—The said party of the second part hereby agrees to receive the following prices as full compensation for furnishing all material except such as is specified to be furnished by the City of Atlanta, and all labor, materials, etc., necessary for the completion of the work aforesaid in the manner and under the conditions before specified:

Brick masonry per 1000, at.....	
Rubble masonry per cubic yard, at	
Cut stone per cubic foot, set in place, at	
Cut flagging per square foot, at	
Lumber per 1000 B. M., at	

Excavations and back fillings—

- Per cubic yard, 10 feet in depth and under, at..
- Per cubic yard, 15 feet in depth and under, at..
- Per cubic yard, 20 feet in depth and under, at..
- Per cubic yard, 25 feet in depth and under, at ..
- Concrete, set in place, per cubic yard, at
- Solid rock excavation, per cubic yard, at
- Laying 8 in., 10 in., and 12 in. pipe, per foot at ...
- Laying 15 in. and 18 in. pipe, per foot, at
- Laying 20 in. and 24 in. pipe, per foot, at

11.—The said party of the second part further agrees that.. will not assign, transfer or sub-let the aforesaid work, or any part thereof without the written consent of the Mayor and General Council, and that any assignment, transfer or sub-letting without such written consent, shall be absolutely void.

In witness whereof the parties to these presents have hereto set their hands and seals the day and year first above written.

THE CITY OF ATLANTA.

By

Witness:

.....

.....

.....

Contractor.

SIDEWALKS.

Sec. 2391. Brick Sidewalks.—1. After the foundation has been prepared, the contractor will furnish and cover the same with clean sharp sand, as above described to a depth of two inches, after being rolled with a 400 pound roller.

2. Upon the sand as above prepared the bricks will be laid herringbone to a smooth and even surface and covered with sand sufficient to fill all the interstices.

3. The bricks shall be of the best quality of whole bricks of clay or shale, must be hard burned entirely through and true in shape, with square edges and laid in close contact; no bats will

be allowed except for closures and all condemned material shall be removed from the work. After being laid sufficient sand shall be put on the walks and raked in with a rake until all the interstices are filled.

4. Three samples of the bricks proposed to be used, marked with the name of the bidder, will be placed in the Chief of Construction's office previous to the consideration of the bids and all bricks used on the work must be equal in all respects thereto.

Sec. 2392. Sheet Cement Sidewalks.—1. Shall have a total depth of four inches and shall be cut through from top to bottom in squares of not less than 4 feet or such other dimensions in excess of this as the Engineer may determine.

2. The bottom 3 inches will be composed of one part cement, two parts of sand and four parts of broken stone as above described, rammed thoroughly in position. The top surface, one inch in thickness, will be composed of one part cement and two parts sand to be trowelled to a smooth and even surface and to be put on before the bottom layer takes its initial set. This class of work to be used in paving driveways to lots and shall be corrugated in such manner as to afford a foothold to horses.

Sec. 2393. Hexagon Tile Sidewalks.—1. Tile shall be 18 inches by 13-4 inches in thickness. The base for one-inch in depth shall be composed of one part cement, three parts of sand, the top 3-4 inch, one part cement and one part sand, all thoroughly rammed in molds and shall not be laid on the street in less than 20 days after being made, and must be kept sprinkled until thoroughly set.

2. They shall be laid on solid foundation, two inches in thickness, composed of sand and cement in the proportion of one barrel of Portland cement to one cubic yard of sand, well mixed and thoroughly tamped.

3. After being laid they shall be washed in with a grouting made of neat cement, until all the joints between the tile are well filled, and the edges or sides of the walk to be thoroughly pro-

tected with cement mortar with an average width of not less than one inch at the top and three inches at the bottom, smooth with surface of sidewalk.

VITRIFIED PIPE.

Sec. 2395. Specifications for Vitrified Pipe.—Pipe for sewers shall be of the best vitrified, salt glazed pipe with socket joints. Shall be homogeneous in texture, and burned hard entirely through.

The area shall not be less than that of a circle of the specified diameter and the variation in diameter shall not exceed 3 per cent. and in no case be more than one-half of an inch. No pipe shall be used which varies from a straight cylinder more than three-eighths of an inch in two feet.

Pipe shall have six-inch hubs or socket branches molded thereon for house connections,—shall be furnished with vitrified stone ware covers for each Y.

Sewer pipe shall have not less than the following thickness:

6, 8 and 10 inch pipe, $\frac{7}{8}$ of an inch.

12 inch pipe, 1 inch.

15 inch pipe, $1\frac{1}{4}$ inch.

18 inch pipe $1\frac{3}{8}$ inch.

20 inch pipe, $1\frac{1}{2}$ inch.

22 inch pipe, $1\frac{5}{8}$ inch.

24 inch pipe, $1\frac{3}{4}$ inch.

Sewer pipe must be delivered F. O. B. cars in Atlanta, the contractor to be responsible for all breakage en route.

Bidders will be required to furnish a sample of their pipe to the Chief of Construction prior to the letting. Such samples to be subject to tests such as the Committee on Sewers and the Chief of Construction may determine as to quality, strength under pressure, etc., and the right is reserved to select such pipe as the Committee and Chief of Construction may determine to be for the best interest of the City. The pipe furnished will be required to conform to the samples submitted.

The quantity to be considered as approximate for comparing bids and not to be held as entitling the contractor to any claim for damages if the quantity should prove to be greater or less than here estimated.

The contractor will be required to give a security company bond in the sum of two thousand (\$2,000) dollars acceptable to the Mayor for the faithful performance of the contract and in case of failure to furnish the pipe of such quantity and at such times as the Chief of Construction may direct within 20 days from the date of the order and in case of failure to furnish the pipe in the specified time, he and his bondsmen shall forfeit to the City of Atlanta ten dollars (\$10.00) per day for every day thereafter that is taken to fill the order and such amount will be deducted from the amount of the bill.

Payment will be made on monthly statements furnished by the Contractor and approved by the Chief of Construction.

The following are approximate quantities upon which the relative rates of bids will be calculated and are to be used for comparison only:

- 14,000 feet of 8 inch pipe and 630 Ys.
- 3,000 feet 10 inch pipe and 100 Ys.
- 20,000 feet of 12 inch pipe and 900 Ys.
- 6,000 feet 15 inch pipe and 260 Ys.
- 4,000 feet 18 inch pipe and 200 Ys.
- 500 feet 20 inch pipe and 20 Ys.
- 500 feet 22 inch pipe and 20 Ys.
- 1,000 feet 24 inch pipe and 40 Ys.

Contract to take effect after approval by the Mayor and to expire December 31st, 19..

A certified check payable to the City Clerk in the sum of five hundred (\$500.00) dollars to accompany each bid, to be forfeited to the City of Atlanta in case such bidder after the acceptance of his bid shall not furnish the required bond and execute the contract within ten days after the award of the work. Checks to be returned to bidders after the contract is executed.

Security company bond in the sum of two thousand (\$2,000.00) dollars satisfactory to the Mayor will be required for the faithful performance of the contract in strict accordance with all the requirements of these specifications.

Sec. 2396. General Specifications for Creosoted Wood Block Pavements.—1. All bids must be on the printed form attached and enclosed in a sealed envelope and addressed to the City Clerk and marked "proposal to pave....."

2. Bidders must fill out their bids in writing and in figures, and must give their names and addresses in full. When a firm is a bidder, the member of the firm or agent who signs the firm's name to the proposal, must state in addition, the full names of all the individuals composing the firm. Anyone signing the proposal as the agent of another or of others must file with it the legal evidence of his authority to do so.

3. **Certified Check.**—Each proposal shall be accompanied by a certified check for five hundred dollars (\$500.00) drawn to the order of the City Clerk, and which will be forfeited to the City as liquidated damages in case an award is made and the contract and bond is not promptly and properly executed within ten days from the date of the award.

4. **Bond.**—The contractor shall furnish a bond to the City of Atlanta to be given by a surety company authorized to do business in the State, subject to the approval of the Mayor and in an amount equal to one-fourth of the amount of the contract for the faithful performance of the work.

5. Any employee of the contractor who shall use profane or abusive language to the Inspector, or other employee of the City, or otherwise interfere with him in the performance of his duties, or who shall disobey or evade his instructions, or who is careless or incompetent, shall be discharged on the request of the Chief of Construction and shall not again be employed, except with his consent.

6. **Prepared to Do Work.**—Bidders must present satisfactory

evidence that they have been regularly engaged in laying the pavement which they propose to put down, or are reasonably familiar therewith, and that they are fully prepared with the necessary capital, labor, material and machinery to conduct the work for which they propose to contract, to the satisfaction of the Street Committee, and to begin promptly within fifteen (15) days after notice to do so, and to complete the same within... ..(.....) working days, after the date of said notice, delays due to bad weather only excepted; and the Chief of Construction shall be the judge of what days are "bad weather."

7. The contractor must complete the work by the time named and shall he fail to complete the work by that time, he shall forfeit to the City as liquidated damages, and not as a penalty, the sum of ten dollars (\$10.00) for each and every working day, which may elapse between the limiting date and the completion of the work, the sum forfeited to be taken out of any money due the contractor. Any claim that the contractor may make for exemption as above must be made to the Chief of Construction in writing within 48 hours of the time the exemption is claimed.

8. **Material.**—None but the best materials of the several descriptions shall be used, and all materials shall be equal in every respect to the requirements of the specifications and to the samples furnished.

Each bidder must deposit with his proposal, four (4) samples of wood block, stating at what factory it was manufactured, and agree if the contract is awarded him to use only blocks made at said factory and equal to the samples.

9. All materials furnished and work done, not in accordance with these specifications, shall be removed within twenty-four (24) hours after notice from the Chief of Construction, by and at the expense of the contractor; or in case of failure to do so, it shall be removed by the City and the cost charged to the contractor, and deducted from the amount due him.

10. No carting or wheeling will be allowed on the concrete until it is sufficiently set, and then, if required by the Chief of Construction, only on planks laid down for the purpose. In hauling stone, sand and cement or other material upon the work, the sub-grade surface shall be properly planked and protected from injury, and no materials shall be dumped except on proper planking.

11. **Old Material.**—During the progress of the work all material taken up and new material used), shall be piled and disposed of, so that public traffic shall not be interfered with, and all material piled on footways and carriageways shall be put only at such places as directed by the Chief of Construction.

12. The hauling of all material from one point on the work for use at any other point shall be done by the contractor at his own expense.

13. All old material which the Chief of Construction orders to be taken up and removed shall become the property of the City and shall be removed by the Chief of Construction.

14. The work of lowering and readjusting the tracks of the Georgia Railway and Electric Company will be done by said company, but the contractor is to remove the material to the sub-grade that is required for the pavement.

15. The price bid per square yard must cover the cost of furnishing all material as provided in these specifications and doing all work necessary to complete the same in accordance with the terms of the contract. The rails must be flushed out even with the top flange of the rail on each side with cement mortar, mixed in the proportion of one of cement and three of sand.

16. **Measurement.**—The area of paving to be paid for will be only the actual area covered by the entire pavement,—no deduction will be made for fixtures in the street. The amount of other work to be paid for will be only the actual amount of such work done in accordance with these specifications.

17. **Inspection.**—In case of any dispute between the contractor or his representative and the Inspector as to materials or the manner of doing the work, the Inspector on the part of the City shall have the authority to stop the work when in his judgment it is not in accordance with these specifications, until the matter at issue can be referred to and decided by the Chief of Construction, and his decision shall be final. The blocks shall be inspected by the Chief of Construction or some authorized agent, acting under him, at the place of manufacture; and, said Chief of Construction or his agent, shall satisfy himself before passing said blocks that the same have been treated with creosote in accordance with the terms of these Specifications.

18. The failure of the Inspector to discover and condemn work not in accordance with these specifications shall not relieve the contractor of his obligation to the City to furnish proper materials and work as provided in these specifications.

19. **Work Suspended.**—The contractor shall suspend all work under this contract when notified by the Chief of Construction that the weather or other conditions are unsuitable for carrying it on. If the work is allowed during bad weather the contractor shall take such additional precautions as the Chief of Construction shall require without additional expense, and under no circumstance shall materials which have been affected by weather, or otherwise damaged be used.

20. **Contractor's Responsibility.**—The bidder is expected to examine the site before bidding, and no allowance will be made for any unusual difficulties which may arise either affecting the original construction or maintenance of the finished work.

21. He must verify the approximate quantities given.

22. The contractor shall be responsible for any work done upon the street over plumber's cuts or other work done before the base is laid.

23. The contractor must take especial care to protect all water, gas, sewer and other fixtures found on the line of the work.

and must have them raised or lowered, and set to conform to the new grade of the pavement at the expense of the owner of said fixtures.

24. The contractor will be held responsible for any damage done to person or property during the progress of the work. He must display lights as required by the City Ordinances.

25. **Extra Work.**—During the progress of the work, if any extra work, not provided for in the contract, shall be required, the contractor must have the same done at a price to be mutually agreed upon in advance or at the actual cost of the work plus ten (10) per cent. for supervision and use of tools. No extra work will be allowed except on the written order of the Chief of Construction, in person.

26. The Chief of Construction reserves the right to make any changes that he may consider necessary in the grades of the street before the work is started and the contractor will not receive any additional compensation on that account.

27. **Payments.**—Bids will be made giving the property-owner and the street railway company the option of paying all cash or one-fourth cash and the balance in three equal annual installments at seven per cent. interest per annum. That proportion to be paid by the City Treasurer will be paid upon the completion and acceptance of the work and no payments will be made until the work is completed.

28. **Chief of Construction.**—Wherever the word Chief of Construction is mentioned in these specifications it is understood to be the City Chief of Construction in person, Assistant Chief of Construction or Inspector in charge of the work. The Chief of Construction in person shall decide all questions of interpretation of these specifications, and his decision shall be final.

29. The Chief of Construction shall have the right to direct where the work shall be done on the street, and no allowance will be made for delays because work can not be done on some por-

tion of the street when there are other portions where work can be done.

30. Grading and Sub-Foundation.—Lines and grades will be determined by the Chief of Construction, and no work will be commenced before the same are given. The bed of the street will be graded to the depth and must conform to the cross-section furnished by the Chief of Construction.

31. All soft and spongy material below the sub-grade shall be removed and filled with clean, sharp sand or gravel or other material satisfactory to the Chief of Construction, and thoroughly rammed and rolled. In excavating, care must be taken not to disturb the sub-foundation, except where necessary to remove soft and spongy material.

32. The entire sub-foundations must be compact and hard, and the contractor will be required to thoroughly ram or roll it with a steam roller weighing not less than five (5) tons, unless the Chief of Construction in charge shall be satisfied that the sub-foundation is sufficiently hard without it. The excavation between the sub-grade and the finished surface to be included in the price for paving. All other grading to be paid for one way at a price per cubic yard.

33. Concrete Foundation.—After the sub-foundation has been prepared to the satisfaction of the Chief of Construction, a concrete foundation six inches (6) thick will be laid on it.

34. The grading and sub-foundation must be completed at least fifty (50) feet in advance of laying of the concrete. The contractor will be required to furnish and drive stakes to the true grade and crown of the concrete at intervals of from 5 to 10 feet, as directed. Care must be taken to preserve these stakes, and if disturbed they must be replaced by the contractor.

35. When there are tracks, or in narrow streets, when requested to do so, the contractor must furnish templates for use on the work, as directed.

36. **Concrete Materials.**—The concrete shall be made of the best quality of American Portland Cement sand and broken stone, in the proportions of 1 part cement, 4 parts sand, and 8 parts broken stone. These proportions are by volume when the materials are well shaken or compacted in the measure. The Chief of Construction shall decide all questions as to how the barrows or other measures are to be filled to obtain the above proportions, and the contractor shall be required to furnish such means of measuring the materials as the Chief of Construction may direct.

37. The contractor shall be required to furnish at his own expense such samples of materials as are required to make tests of the same.

38. The Portland Cement must be properly seasoned, neither too fresh nor too stale, must show no signs of swelling after being mixed. It must be in the original packages and be free from injury by moisture or other causes. Not less than 98 per cent. to pass through a 50 mesh sieve, and not less than 92 per cent. to pass a 100 mesh sieve.

39. When made up neat into wedge shape pats about three inches in diameter and one-half an inch thick at the center and tapering to a fine edge, the cement must show no signs of cracking or warping after it has had its final set, when placed in boiling water for six (6) hours, or in water at normal temperature for twenty-eight (28) days.

40. The tensile strength shall be as follows:

1 day (in air until hard set, rest of day in water), neat cement, 200 pounds.

7 days (in air 1 day, in water 6 days), 1 cement to 3 sand, 125 pounds.

7 days (in air 1 day, in water 6 days) neat cement, 500 pounds.

28 days (in air 1 day, in water 27 days) neat cement, must show appreciable increase.

28 days (in air 1 day, in water 27 days) 1 cement to 3 sand, 200 pounds.

41. When cement is allowed to be used before the 7 day test is made, tests will be made of neat cement between the one and seven day tests when there is doubt as to its quality, and it must be rejected if it does not show increased strength proportional to the time between the requirements for the one and the seven day tests.

42. Tests must also be made of the cement and sand used on the street in the proportion of 1 part cement to 3 parts sand, and these tests must show at least 85 per cent. of the strength of mortar made with the cement and standard sand.

43. The sand shall be clean, hard and sharp, free from organic matter or other impurities. It shall be tested for impurities by shaking or stirring the sand in a suitable glass vessel partly filled with water and allowing the same to settle for one hour. The sand in the glass shall be at least 95 per cent. of the total contents exclusive of clear water, otherwise the same shall be rejected.

44. Sand must also be rejected when the cement stands the test with crushed quartz but does not stand the test with the sand as given above.

45. The broken stone shall be solid, hard, trap, gneiss, granite or limestone, free from dirt or dust, and of a size that will pass through a 2½ inch ring and be held on a ¼-inch screen. The stone must be screened before it is brought on the street.

46. **Mixing and Laying Concrete.**—If the concrete is mixed by a concrete mixer, the cylinder must have at least four complete revolutions after all the materials are put in and must be thoroughly mixed.

47. If the concrete is mixed by hand, it must be done on water tight boards 10 feet by 14 feet. The sand and cement must be mixed dry and turned over until they are thoroughly mixed; then enough water added to make a stiff mortar, and thoroughly mixed; after this the stone, previously wet, is to be put on the mortar which has been spread out on the concrete board. The

whole mass is then to be turned over four times with shovels until all the stones are thoroughly incorporated in the mortar.

48. The whole operation of mixing and laying the concrete must be done as quickly as possible, and no concrete or mortar will be used that has been mixed for thirty (30) minutes.

49. After the concrete is thoroughly mixed, it is then to be spread evenly on the sub-foundation and thoroughly rammed until free mortar covers the entire surface. If any spaces show a deficiency in mortar, it is to be supplied at once from the machine or mortar boards and thoroughly rammed. It is essential that the concrete be thoroughly compact and that all spaces between the stone be filled with mortar.

50. All curbing necessary to be re-aligned or reset will be done by the contractor and the price allowed will be five (5) cents per lineal foot.

51. All excavation needed in excess of the amount required for the depth of the pavement, which will be the sum of the depths of concrete, cushion and blocks, will be paid for at the rate of 30 cents per cubic yard, and the material will be disposed of by the contractor.

WOOD BLOCK PAVEMENT.

52. **Inspection of Blocks.**—The wood blocks shall be inspected by the Chief of Construction or authorized agent at the place of manufacture and on arrival in the City where they are to be used, or when piled adjacent to the street to be paved. All blocks not in conformity with the requirements of these specifications will be rejected and must be removed from the locality of the pavement to be laid.

53. The wood blocks shall be of the following dimensions, 3 inches or $3\frac{1}{2}$ inches in depth, 3 inches in width and from six to eight inches in length, with the fiber of the wood running in the direction of the depth, shorter blocks than those specified may only be used in starting courses or for making closures.

54. The wood from which the blocks are made must be long leaf yellow pine, 90 per cent. of which shall be heart, which shall be well manufactured, free from large coarse knots, worm holes, knot holes, through, round, or other objectionable shakes, wane, checks, bark, incipient or other decay.

55. The paving blocks cut from lumber or wood above specified, shall be well manufactured, truly rectangular and uniform. They shall be sized and the top and bottom shall be evenly and smoothly sawn. No block shall vary in width and depth more than one-sixteenth of an inch from the other used on the same street or contract. The depth shall be that of the thickness specified in bid.

56. The blocks shall be treated with creosote or some other approved antiseptic or water proof mixtures as hereinafter specified, and each block shall contain at least 20 pounds of the mixture per cubic foot of wood, or when a block contains much natural pitch, it shall receive as much of the mixture as can be forced into it by the same process and pressure as is used in the treatment of the blocks of the same kind of wood which will receive 20 pounds of the mixture per cubic foot.

57. **Creosote Oil.**—The creosote oil shall be a dead oil of coal tar or coal tar product. It shall not contain more than 3 per cent. of water and if it does contain this amount of water a corresponding correction must be made so that an equivalent additional amount of creosote is forced into the blocks. It shall contain only traces of acetic acid and acetates. The specific gravity of the creosote oil with which the blocks are treated shall be at 68 degrees Fahrenheit, be not less than 112, nor more than 115; the specific gravity residue not less than 115; the oil with which the blocks are treated shall not contain more than 2 per cent. free carbon, nor more than 2 1-2 per cent. soluble in benzole. A sample of at least one quart of the mixture with which the blocks are to be treated must be submitted with the bid.

58. After passing inspection, the blocks shall be placed in an air-tight chamber, where by use of superheated steam or dry heat, the timber shall be properly seasoned; after the removal of

the accumulated sap and water, the blocks shall be thoroughly dried under vacuum, and when ready for treatment, there shall be admitted under pressure and into a vacuum, maintained at twenty-five (25) inches, the specified wood preservative, sufficient to impregnate the timber with not less than twenty (20) pounds of the preservative to the cubic foot.

59. The blocks shall be laid in courses extending across the street at such angle with the curb as may be required by the Chief of Construction. The blocks in adjoining courses shall break joints. The courses shall be laid strictly parallel, and the blocks shall be driven close together. Three courses shall be laid next to and parallel with the curb. There shall be provided three (3) expansion joints one-half of an inch in width, next to curbing, to be filled with No. 6 coal tar paving pitch poured at a temperature of 300 degrees F., which must be such as not to be too soft in warm weather nor too brittle in cold weather: to be a durable and adhesive filler. Expansion joints of any required width shall be constructed at such other locations as the Chief of Construction may direct.

60. The blocks shall be laid on a cushion of clean sand, evenly spread over the concrete foundation, one-half an inch in depth, and shall be rolled to an even surface with a steam roller of sufficient weight to insure an uniform surface.

61. After rolling the surface shall be covered with a fine sharp sand which will be swept until all joints are thoroughly filled.

CHAPTER LXXXIV.

STABLES, LIVERY AND PRIVATE—REGULATIONS.

Sec. 2397. Livery Stables Must Have Permits.—It shall be unlawful for any person, firm or corporation, to open and carry on a livery stable, feed and sale stable, or other similar institution in the City of Atlanta, at any place not occupied for such purposes at the date of the passage of this ordinance, without first applying to the Mayor and General Council, and obtaining special permission to open and conduct said business at the place to be so occupied.

Sec. 2398. Location to Be Considered before Permit is Granted—Not Kept near Churches and Schools.—In considering and passing upon the question of granting permission to open or operate such livery, feed or sale stable, stock yard, or other similar institution, regard shall be had by the Mayor and General Council to the proximity of the proposed stable or yard to shipping facilities, to the avoiding or prevention of danger to pedestrians in consequence of the use of the streets by large numbers of animals, to the absence or presence of densely-populated residence neighborhoods, and to the question whether the proposed establishments are so near to churches, schools, or other similar institutions as to prove injurious to them, as well as to the question of proper protection against fire losses.

Sec. 2399. Permission Granted upon Petition—Showing What.—Every such permission granted or passed upon by the Mayor and General Council shall be based on petition, showing particularly the location intended to be used, and the character of the buildings, which it is proposed to occupy, whether such building has already been erected or is only projected.

Sec. 2400. Penalty for Violation.—A violation of the foregoing ordinance shall subject the offender, on conviction thereof in

the Recorder's Court, to punishment by fine not to exceed one hundred dollars, or imprisonment not to exceed thirty days, for each offense, and such conviction and punishment shall not prevent the closing of any such stable, stock yard, or similar place, by the Mayor and General Council in their discretion.

Sec. 2401. Private Stables—Not Nearer than Thirty Feet to Residence or Place of Business—Penalty for Violation.—It shall be unlawful for any person, firm or corporation to erect or use a private stable nearer than thirty feet to any residence or place of business without the consent of the owner and occupant of such adjacent residence or place of business, and a violation of this section shall subject the offender, upon conviction in the Recorder's Court of the City of Atlanta, to punishment by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

CHAPTER LXXXV.

STREETS AND ALLEYS.

Sec. 2402. Petition for Street Improvement—Signed by City Attorney.—All petitions for street improvements must be signed in ink by the owners of the property signed for, or their duly authorized agent, and all ordinances for street improvements must be approved as to their form and sufficiency of property signed for, by the City Attorney before being considered by the General Council.

Sec. 2403. Power of Mayor and Council to Grade and Pave Streets.—The Mayor and General Council of the City of Atlanta shall have full power and authority in their discretion to grade, pave, macadamize and otherwise improve for travel and drainage of the streets and public lanes and alleys of said city, and to construct sidewalks and pave the same; to put down curbing, cross-drains, crossings and otherwise improve the same.

Sec. 2404. Power of Mayor and General Council to Assess Cost Against Owner of Property.—In order to fully carry into effect the authority above delegated, said Mayor and General Council shall have full power and authority to assess the cost of paving and otherwise improving the sidewalks, including all necessary curbing for the same on the real estate abutting on the street, and on the side of the street on which the sidewalk is improved.

Sec. 2405. Manner of Obtaining Jurisdiction—Petition of Owners of One-half Frontage of Abutting Property.—Said Mayor and General Council shall also have full power and authority to assess one-third of the cost of grading, paving, macadamizing, constructing side-drains, cross-drains, crossings and otherwise improving the roadway or street proper on the real estate, abutting on each side of the street improved; provided, that

any other street, or a portion of a street, shall be so improved, the persons owning the real estate, which has at least one-half of the frontage of the street, or portion of a street, the improvement of which is desired, shall, in writing, request the Mayor and General Council to make such improvements and the Chief of Construction shall have approved the same, and shall forward the same with their approval, to the Mayor and General Council with a statement of the character of the improvement proposed to be made, and an estimate of the cost of the same, and said Mayor and General Council shall, by ordinance, direct the said work to be done, after advertising the fact of the filing of the petition and the time and place of its consideration, and action thereon; provided, that the law authorizing the assessment by the abutting property-owners of the whole cost of paving sidewalks (including cost of curbing) is in no way affected hereby.

Sec. 2406. Assessment Shall Be By Ordinance, and Discretionary.—Said Mayor and General Council shall have full power to adopt, by ordinance, such a system of equalizing assessments on real estate, for the above purpose, as may be just and proper, estimating the total cost of each improvement made, and prorating the cost thereon on the real estate, according to its frontage on the street or portion of a street so improved. It shall be wholly discretionary with the Mayor and General Council whether any work asked for is necessary or desirable and shall be done or not; and no application shall be received, and no work done for less than an entire block; provided, that the owners of not less than one-half of the frontage on a block shall not, by a failure to apply for work, or by objection thereto, defeat an application of the owners of one-half of the frontage of more than a block, when such application shall have been regularly made.

Sec. 2407. Lien of Assessment.—The amount of assessment on each piece of real estate shall be a lien on said real estate from the date of the passage of the ordinance providing for the work and making the assessment.

Sec. 2408. Collection of Assessment, Defence.—The Mayor and General Council of said city shall have authority to enforce the collection of the amount of any assessment so made, for

work either upon streets or sidewalks, by execution, to be issued by the Clerk of Council against the real estate so assessed, and against the owner thereof, and the date of the ordinance making the assessment, which execution may be levied by the Marshal of said City on such real estate; and after advertisement and other proceedings as in cases of sales for said city taxes, the same shall be sold at public outcry to the highest bidder, and such sale shall vest in the purchaser title, as in the case of tax sales; provided, that the defendant shall have the right to file an affidavit denying that the whole, or any part of the amount for which the execution issued is due, and stating that the amount he admits to be due, which amount so admitted to be due shall be paid or collected before the affidavit is received, and the affidavit received for the balance, and all such affidavits so received shall be returned to the Superior Court of Fulton County, and there tried, and the issue returned as in cases of illegality, subject to all the pains and penalties provided in cases of illegality for delay.

Sec. 2409. Chief of Construction to Keep Separate Accounts of Expenditures for Specific Appropriations, etc.—The Chief of Construction is required to keep an accurate account of the money expended on the different appropriations which may be made for any streets and sewers each year, and specify the same on each weekly pay roll, with the name of street and sewer, and that they be required to stop the work when the amount appropriated for any street or sewer is exhausted, and communicate the same to the Mayor and General Council.

Sec. 2410. Approval of Accounts and How Paid.—All accounts for work done on streets and sewers are to be paid out of the regular appropriations, set apart and appropriated by the Mayor and General Council for such work, shall before they are paid, be made out as other accounts against the City are made out, be approved by the Chief of Construction and shall then be approved by the Committee on Streets or Sewers, and shall then take such course as other accounts against the City. Accounts created under the supervision of the Chief of Construction shall have his approval.

Sec. 2411. Widths of Sidewalks and Granite Walks.—All sidewalks for pedestrians in the City hereafter constructed shall be of the following widths: On streets sixty feet wide the sidewalks shall be ten feet in width; on streets fifty feet wide, the sidewalks shall be nine feet in width; on streets forty feet, sidewalks shall be eight feet; and on streets thirty feet wide sidewalks shall be six feet in width. All sidewalks shall be laid full width, except where the sidewalk is ten feet wide and parties wish to put down expensive sidewalks of granite or other material, where the walk may be reduced to seven and a half feet wide, and the parties be then required to sod the border and keep it in good condition so that it will not wash, it being understood this is in no case to apply to the law as it now stands in regard to the laying of brick sidewalks. Sidewalks laid with brick shall be laid full width from property line to curbstone, except a space of twelve by twenty-four inches around shade trees.

Sec. 2412. Paving of Sidewalks in Inman Park.—Hereafter, all sidewalks in Inman Park, and the street bordering thereon, when ordered to be paved by the Mayor and General Council by resolution, shall be paved from the property lines out, as follows: On sidewalks twelve feet wide and above, the paving shall be seven feet wide; on sidewalks under twelve feet wide and above eight feet wide, shall be paved six feet wide, on sidewalks not exceeding eight feet wide, shall be paved six feet wide, provided sidewalks shall be laid with cement tiles.

Sec. 2413. Paving of Space between Curbstones and Sidewalks in Inman Park.—The space between the paving and the curbstone on all sidewalks ordered paved by the Mayor and General Council in Inman Park shall be kept neatly sodded in bluegrass by the abutting property-owners, or the Agent in charge of said property, and the same to be kept properly trimmed; and upon the failure of any property-owner to keep said space properly sodded and grassed, the entire sidewalk in front of said property shall be paved at expense of said property-owner.

Sec. 2414. Duty of Occupants to Clean Snow from Sidewalks.—When there is a fall of snow sufficient to cover the sidewalks in the City of Atlanta, it shall be the duty of all occupants of

houses fronting on said sidewalks to have the said snow cleaned off of said sidewalks in front of their houses, within twelve hours after the snow ceases to fall.

Sec. 2415. Penalty for Violation of Above Law.—Any person failing to comply with the provisions of section 2414 shall pay a fine of not less than three or more than five dollars, upon conviction in the Recorder's Court. It shall be the duty of the Chief of Police, to see that the requirements of this ordinance is carried out.

Sec. 2416. Encroachment on Sidewalks.—No encroachments on the sidewalks or streets of said city, in the erection of buildings, for area walks or otherwise, shall be permitted, unless special authority therefor is expressly granted on petition setting forth the encroachment desired, with the reason therefor.

Sec. 2417. Penalty for Violation of the Above Section.—The owner of the ground adjoining any sidewalk or street, where an encroachment is made in violation of section 2416, and the architect and contractor who cause such encroachment to be made, shall each of them be subject to a fine of not less than twenty-five (\$25.00) dollars, nor more than five hundred (\$500.00) dollars, or to imprisonment not to exceed thirty (30) days, one or both, in the discretion of the Recorder's Court.

Sec. 2418. Removal of Such Obstruction by City Marshal.—Should such encroachment be made as is prohibited in section 2416, the obstruction shall be removed, and the street or sidewalk be put in the condition that it was theretofore, by the City Marshal, at the expense of the owner of the adjoining ground, should such owner fail to remove the obstruction and place the street or sidewalk in its former condition on ten days' written notice from the Chief of Construction to do so.

Sec. 2419. Sidewalks—How Put Down—Notice of Chief of Construction.—It shall be the duty of persons owning lots fronting on streets, or property abutting on private alleys, in said city, upon notice of the Chief of Construction to put down in front of their property, upon the grade given them by the said

Chief of Construction and in accordance with his discretion, good and substantial curbing and sidewalks of such character and material as the General Council shall, by resolution, prescribe. In the event the sidewalks laid under this ordinance need repair, the Chief of Construction shall give the property owner, or if such property-owner be a non-resident then to his agent, notice that such sidewalk is in need of repair, and, after the expiration of ten days after such notice, same shall be put in repair by the said Chief of Construction at the expense of the lot owner, provided, that if the lot owner dispute the correctness of the facts stated in such notice he may petition the Mayor and General Council for an order directing said Chief of Construction to refrain from such repairs and the decision of the Mayor and General Council, as to the necessity thereof, shall be final; pending such decision the repairs shall not be made, but if such decision sustain the Chief of Construction no further notice is necessary before making the repairs; provided, that should said sidewalks be in a condition dangerous to passers-by, that ten days' notice shall not be necessary, but the said Chief of Construction may have such repairs done at once, and collect therefor in the same manner as though such ten days' notice had been given.

Sec. 2420. City to put Down if Owner Refuses or Fails—Execution for Cost—Fees of Clerk and Marshal.—If any property-owner who shall be notified as provided in the preceding section, and shall fail within thirty days to comply therewith, the City shall have such curbing and sidewalks put down at such property-owners' expense. In all such cases the Chief of Construction shall have a bill for the cost of such work and material presented to the property-owner, and if same is not paid within ten days the Chief of Construction shall deliver the bill to the Collector of Street Improvements, who shall prepare an execution for the amount of such bill against the property owner or owners, and against his, her, or their lands, goods or chattels. Such execution shall be delivered to the Marshal, who shall proceed to collect the same by levy and sale, as by law provided in cases of tax collection. The fees of the Clerk and Marshal shall be the same as in tax executions, and shall be collected and covered into the Treasury through the Tax Collector.

Sec. 2421. Sidewalk Material.—All sidewalks, which may hereafter be laid within the City limits, shall be constructed of either of the following materials: Stone, of not less dimensions than two feet by ten feet, asphalt, cement, cement blocks, Augusta, Macon or River, or other first-class hard brick, in such manner as is prescribed in Section 647 of the Code of the City of Atlanta for 1883; provided, that new sidewalks which may be hereafter laid within the limits hereinafter indicated, shall be laid of stone of not less dimensions than two feet by ten feet, or the width of the sidewalk, the limits herein prescribed being as follows: Whitehall street from Trinity avenue to the railroad; Alabama street from Loyd to Forsyth street; Pryor street from Hunter to Auburn avenue; Loyd street from Hunter to Decatur street; Broad street, from West Mitchell to Peachtree street; Peachtree street from the railroad to Ellis street; Marietta street from Peachtree street to Forsyth street; Hunter street from Pryor to Loyd street; Wall street from Loyd to Peachtree.

Sec. 2422. Curbing and Sidewalks—How Paid for.—The whole expense of setting curbing and laying sidewalks shall be assessed against and collected from the property abutting on the streets where sidewalks are laid, and the owners of such abutting lots.

Sec. 2423. Guttering to be Included in Sidewalk and Curbing—Resolutions.—All resolutions providing for the construction of sidewalks and curbing shall have included therein a provision covering and providing for the construction of guttering for the full length of such curbing and sidewalks, and, further providing, that the cost of such guttering shall be included within the costs of the construction of such sidewalks and curbing, and assessed and collected from the abutting property-owners as a part of the cost of the construction of said sidewalks and curbing.

Sec. 2424. Curbing and Sidewalks—How Assessed on Alleys.—In all cases where private alleys, which intersect with sidewalks, from the dividing line between adjoining lots, that the assessment for curbing and sidewalks at the point where the alley intersects with the sidewalk, shall be divided between the lots on each side of such alley, treating the private alley as belonging

equally to the two adjoining lots. Private alleys belonging to only one of the adjoining lots shall be treated as part of that lot in making the assessment of curbing and sidewalk.

Sec. 2425. Dangerous Places in Streets Fixed.—Order of Chief of Construction.—The Chief of Construction shall keep employed a suitable man, and have under him a sufficient force of men, whose sole and exclusive duty shall be to repair dangerous places on the streets, sidewalks and bridges of the city, and any place of the kind coming to their knowledge shall be fixed at once.

Sec. 2426. To Prevent Placing Loose Nails, Etc. on Streets or Sidewalks.—It shall be unlawful for any person or persons to place on the streets or sidewalks in the City of Atlanta any loose nails, tacks, spikes, broken glass, or any similar substance or thing which would be likely to injure the feet of person or animals or cut or puncture tires of bicycles or other vehicles.

Sec. 2427. Penalty for Violation of Above Ordinance.—The violation of the preceding section of this ordinance, shall subject the offender, upon the conviction thereof in the Recorder's Court, to a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, either or both of these punishments, in the discretion of the Court.

Sec. 2428. Owners to Keep Sidewalks in Good Repairs.—It shall be the duty of all owners of property in the City, in front of which the sidewalks have been paved, to keep such sidewalks in good repair, and to do such repairing and other work as may be necessary to keep the same in good, smooth condition.

Sec. 2429. Duty of Occupants and Owners to Keep Sidewalks Clean.—It shall be the duty of all occupants of improved property and owners of vacant property, in front of which the sidewalks have been paved, to keep such sidewalks clean, and to do such sweeping and scraping as may be necessary to remove clay, dirt and trash therefrom, and to render the same passable, comfortable and sightly.

Sec. 2430. Penalty—Cleaning Up of Debris by Property-Owners.—Any person failing to comply with the conditions of the foregoing section shall be reported by the police force, and may be summoned to appear before the Recorder's Court, or may be arrested by an officer or member of the police force and taken before said court, and such person may, on conviction, be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court, for each offense. In all cases, where the owner or agent shall suffer dirt, trash, weeds, etc., to accumulate on paved sidewalks in front of or adjoining their property it shall be the duty of the several Sanitary Inspectors, in addition to the prosecution herein provided for, or where after five days written notice of the necessity of the cleaning of such sidewalks, and to such works as may be necessary to render such walks clean and shall render a bill covering the cost of such cleaner to the owner or agent of such property, in person, or if such person or agent be a non-resident, then by mail, and upon the non-payment of such bill within ten days after service of same as aforesaid, the Clerk of Council shall issue an execution against the owner of the abutting property, and said execution shall be a lien upon such property. Such execution shall be collected as other executions for the repair of sidewalks.

Sec. 2431. Gratings—Width of—On Sidewalks.—No person, in building upon any of the business streets of the city, shall occupy more than two feet of the sidewalk for area, grating and lights, without special permission of the Mayor and General Council.

Sec. 2432. Obstructions—Penalty.—No person shall place any trash, lumber, wood, glass, or other obstructions, in any public street, alley or way, in said city, or on any sidewalk. Any person who shall place any obstruction, as aforesaid, in any street, alley or way, or on any sidewalk, failing or refusing to remove the same within six hours after being notified by the Chief, or any member of the police force, or, having removed the said obstructions, shall replace the same or similar obstructions, shall, on conviction, be fined not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2433. To Prevent Dripping or Spilling, etc. of Oils of Any Description on Streets Etc.—No person shall pour or spill or permit to drip upon any asphalt pavement laid on any street, alley or public place in the City of Atlanta any kerosene, benzine or other similar oil, or oily substance or liquid. All oil wagons or tanks shall have securely fastened under the taps or faucets thereto attached an absolutely oil tight pan or tray and in filling any measure or other vessel from such tray or faucet, such measure or other vessel must be held so that any drip or overflow shall flow into said box or tray, and in removing the same over the asphalt pavement, no drip or overflow from such measure or vessel must be permitted to fall upon such pavement, and no receptacles for holding oil shall be placed on the asphalt pavement.

Sec. 2434. Chief of Construction to Remove any Obstructions from Sidewalks.—When any street or sidewalk in the City is being paved or graded, the Chief of Construction shall have authority to have any obstructions moved, such as fences, that are over the surveyed line on the sidewalks, and trees that are too far from the curb on the sidewalk that obstruct the free and open passageway of said sidewalk.

Sec. 2435. Disorderly Conduct on Streets—Penalty.—Any one who stands or walks upon any sidewalk or street in front or near a store or business of any kind or so near the sidewalk as to obstruct its use, for the purpose of soliciting customers or trade thereof, by calling out or "barking" or "speiling" for such business, or by taking hold of passers by, and undertaking to persuade or force them into said store, or place of business, or does any acts similar to these mentioned and for the purpose named shall be guilty of disorderly conduct, and on conviction thereof in the Recorder's Court, shall be fined not exceeding \$200.00, or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder's Court.

Sec. 2436. Barbed Wire Fences Next to Sidewalks Prohibited—Penalty.—It shall be unlawful for any person to erect, build or maintain any barbed wire fence along the margin of any lot facing or bordering on any public street in the City of At-

lanta, or any other character of fence that would endanger the clothing of passers-by, along the sidewalks of the City, unless such fence be amply protected by a barrier, or unless such fence be placed not less than three feet from the inside margin of the sidewalks of such street. Any owner of any lot that shall hereafter maintain or erect such fence shall be punished with a fine of not less than ten and not more than one hundred dollars; and the Chief of Police of this City shall, upon request of any citizen, give notice to the owner or tenant of the property where such fence may be, and unless the same is removed within three days after notice, the said owner or tenant or both, shall be, by the police of this city, arraigned before the Recorder for violation of this ordinance.

Sec. 2437. Use of Streets in Building—Penalty.—Any person or persons actually building, or about to build or repair any building, may collect and lay all such materials as may be necessary for such building or repairs in the street, lane or alley next adjoining to or in front of, such building or repairs, and any person or persons so building or repairing, shall have the privilege of using one-half of the sidewalk and one-half of the width of the street adjoining, or in front of said building or repairs; provided that no person so building or repairing shall interfere with the running of the cars upon any street railroad; and provided further, that such person or persons shall keep any excavation securely covered, and keep one-half of the sidewalk open and in good passable condition. During all such time as such materials shall so lie in any street, lane or alley, the owner or proprietor of such materials, shall cause a lamp or lantern, with a good and sufficient light therein, to be securely hung up, placed or fixed on a post, or otherwise, at each of the two corners of such inclosures projecting into the said street, lane or alley, and in such manner as clearly and plainly to show the place and extent occupied by such materials. The said lamp or lanterns shall be lighted by said owner or proprietor at or before dark in the evening in such manner as to reasonably suppose it shall continue to burn until daylight. The use of one-half of the sidewalk and one-half of the street shall only be allowed twenty days before a building is actually commenced, and ten days after its completion. Any one violating the provisions of this sec-

tion shall, upon conviction in the Recorder's Court, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court.

Sec. 2438. Public Work of City Using Roadways for Such Work to be Closed—Mayor Shall Have Power to Keep Any Portions Thereof Open by Recommendation of Building Inspector.—Whenever the City undertakes a public work, such as the construction of bridges, viaducts, or such work, which necessitates the use of the roadway for the erection of such public work, that the entire streets and sidewalks to be covered by such public work shall be closed, provided that the Mayor shall have the power on the recommendation of the building inspector to keep any portions thereof temporarily open, under such requirements to secure the public safety as may be necessary, but any permits to allow any portions of such streets or sidewalks to be kept open as above provided, shall be subject to be revoked at any time in the discretion of the Mayor.

Sec. 2439. Merchants, Etc. not to Obstruct Sidewalk Longer than Necessary in Receiving or Delivering Goods.—No person occupying any store, stall, shop or other place of business, shall obstruct the sidewalk in front of the place so occupied by him, or the view from the street, to or across the sidewalk, by placing goods of any kind on or over such sidewalk, longer than is really necessary to get the goods or other articles into or away from such place of business in receiving and delivering such goods or other articles. Any person violating this ordinance shall be subject to fine not exceeding one hundred dollars, or imprisonment not longer than thirty days, one or both in the discretion of the Recorder's Court.

Sec. 2440. Sidewalks—Merchants May Use Two Feet to Display Goods—Sidewalks—Boxes, Etc. Removed at Night.—Merchants shall be allowed two feet of the Sidewalk next to their buildings on which to display their goods. All boxes, steps, stands or other things used in the display of such goods, shall be removed from the sidewalk at night and on the Sabbath Day. This shall apply to fruit stands, from which the fruit is removed. Parties thus using the sidewalks, shall, on Saturday night, thor-

oughly and carefully clean said sidewalk. Any person, firm or corporation violating this ordinance, shall be fined any sum not exceeding thirty dollars or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2441. Disorderly Riding and Driving—Penalty.—Any person or persons who shall drive a vehicle or ride in a disorderly manner through the street, or place any wagon, cart or vehicle on the sidewalk, or stop such vehicle on a regular street crossing, shall, on conviction, pay a fine of not exceeding thirty days in the discretion of the Recorder's Court.

Sec. 2442. Driving Over Bridges Faster than a Walk Prohibited—Penalty.—It shall be unlawful to drive any dray, carriage or other vehicle over or across any public bridge, in this city, faster than a walk. Any person or persons violating the above provision shall be arrested and carried before the Recorder's Court, and, upon conviction, be fined in a sum not less than one dollar, nor exceeding one hundred dollars, or be put under the public works not less than one day or exceeding thirty days, one or both, in the discretion of the Court.

Sec. 2443. Vehicles Prohibited from Driving Over Iron Plates at Crossings—Penalty.—It shall be unlawful for any person to drive a vehicle on or across the iron plates which are placed across gutters at the street crossings. Any person violating this ordinance shall, on conviction before the Recorder's Court, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days.

Sec. 2444. Vehicles Not to Stand on Street—Penalty.—It shall be unlawful for the owner or person in charge of any carriage, hack, wagon, dray, cart, hand cart, or other similar vehicle to leave such vehicle standing on the street without a team attached to it and some person either in charge of the team or near at hand to move it if notified so to do, so as to prevent the obstruction or blocking of the streets or endangering the public by runaway or otherwise. Any person, firm or corporation violating the provisions of this section shall be subject, upon conviction thereof in the Recorder's Court, to a punishment by fine of

not exceeding fifty dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 2445. Bicycle Whistles.—It shall be unlawful for the riders of bicycles to use whistles like those of policemen.

Sec. 2446. Bicycle Bells.—It shall not be unlawful hereafter for the riders of bicycles to use bells to give warning of their approach.

Sec. 2447. Penalty for Violation of Section 2445.—A violation of Section 2445 of this ordinance shall subject the offender, upon conviction thereof in the Recorder's Court of the City of Atlanta, to punishment by fine of not exceeding one hundred dollars, or imprisonment of not exceeding thirty days, in the discretion of the Court.

Sec. 2448. Digging Gravel, Etc. out of Streets—Penalty.—A person who shall dig or scrape up and carry away gravel, earth, dirt, rocks or sand, from any street, lane or alley of said city, shall, on conviction thereof, pay a fine of not exceeding twenty dollars cost for each offense or be imprisoned not exceeding thirty days in the calaboose.

Sec. 2449. Auctioneer, Merchants, Etc., Not to Obstruct Sidewalks or Streets—Merchants May Use One-third of Sidewalk in Receiving and Shipping Goods.—No auctioneer, commission merchant, or other merchant, shall be allowed to obstruct any public street or sidewalk for the purpose of selling, vending, showing or disposing of their wares and merchandise, or of delivering the same; nor shall an assembly of persons, as bidders, be assembled for the purpose of bidding for the same, so as to obstruct the free passage on the sidewalks or streets of the City of Atlanta. Any person or persons who shall do or cause the same to be done, or shall fail or refuse to move the same, after being notified by the Marshal or his deputy, shall, on conviction in the Recorder's Court, be fined in a sum not exceeding one hundred dollars and cost, or be imprisoned thirty days; provided, merchants may use one-third of the sidewalk so long as it may be necessary for receiving and shipping goods.

Sec. 2450. Bids Open in Presence of Mayor and General Council.—All bids made for work under the advertisement of the Chief of Construction shall be received by the Clerk in open Council, and by him opened in the presence of the Mayor and General Council.

Sec. 2451. To Require Certified Checks to Accompany Bids for Public Works.—All persons bidding for public work shall be required to accompany their bids with a certified check in such amount as to Chief of Construction, or the committee advertising for proposals in each case, shall designate in the advertisement. Such certified check to be an evidence of good faith on the part of the bidder, and to be forfeited to the City of Atlanta in case such bidder, after the acceptance of this bid by the City of Atlanta, shall not furnish the required bond and security for the performance of his contract, but to be returned to the bidder when such bond and security are given and accepted.

Sec. 2452. Duty of Chief of Construction to Have All Curbing Turned at Corners.—It shall be the duty of the Chief of Construction, in future, in having curbing laid, to have all corners turned with curved curbing, cut on such radius as he may deem proper, and that the cost of the same shall be charged to the owners of corner lots.

Sec. 2453. Curbing Laid at Owners' Expense After Notice.—If any property owner who shall be notified as provided in the preceding section, shall fail within twenty days after notice to comply therewith, in so far as to laying the curbing, the city shall have such curbing put down at each property-owner's expense. Each property-owner notified, as above provided, shall have ten days from the laying of the curbing and completion of grading, in which to complete and lay sidewalks, and on failure to so complete and lay sidewalks, within said ten days, the city shall have the sidewalks laid, and completed at each property-owner's expense. In all such cases the Chief of Construction shall have a bill for the cost of such work and material made out and turned over to the City Clerk, who shall have the same presented to the owner, and if the same is not paid within ten days, after same is so presented, said City Clerk shall issue an execu-

tion for the amount of such bill against the property-owners, and against his, her, or their lands, goods and chattels. Such execution shall be delivered to the Marshal, who shall proceed to collect the same by levy and sale, as by law provided, in cases of tax execution. The fee of the Clerk and Marshal shall be the same as in tax execution.

Sec. 2454. Curbing and Sidewalks—Resolutions.—The Committee on streets shall have no authority to consider and report on any resolutions to lay curbing or sidewalk on any street, until after such resolution shall have been introduced at a meeting of this body and referred to said committee.

Sec. 2455. How Adopted.—It shall not be legal to any resolution for laying curbing and sidewalk to be adopted earlier than two weeks after such resolution shall have been introduced at a meeting of the General Council.

Sec. 2456. Duty of Persons by Notice of Chief of Construction to Put down Substantial Curbing and Sidewalks with His Approval.—It shall be the duty of persons owning lots fronting on streets in said City upon notice of the Chief of Construction, to put down in front of their property, upon the grade given them by the Chief of Construction, and in accordance with his direction and in such a manner as to meet with his approval, good and substantial curbing and sidewalks of such character and material as the General Council shall, by resolution, prescribe. They shall keep the same in good repair whether put down by themselves or the City, and if they should fail to do so after ten days notice, the Chief of Construction shall have such repairs done at the expense of the lot owner and collect for such repairs as is hereinafter provided in cases where lot owners refuse or fail to put down sidewalks after notice; provided, that, should said sidewalks be in such a condition dangerous to passers by, ten days should not be necessary, but the Chief of Construction may have such repairs done at once, and collect therefor in the same manner as though such ten days notice had been given.

Sec. 2457. Failure of Property Owners to comply with Above Ordinance; Duty of City to Have Same Put Down at Property Owner's Expense.—If the property owner, who shall be notified as provided in the preceding sections, shall fail within thirty days to comply therewith, the City shall have such curbing and sidewalks put down at such property-owner's expense. In all such cases the Chief of Construction shall have a bill for such work and material made out and turned over to the Street Improvement Collector, and by him presented to the property-owner, and, if same is not paid within thirty days, the Collector of Street Improvements shall deliver the bill to the Clerk of Council, who shall issue an execution for the amount of such bill against the property owner or owners, and against his, her or their lands, goods and chattels. Such execution shall be delivered to the Marshal who shall proceed to collect the same by levy and sale, as by law provided in cases of tax executions. The fees of the Clerk and Marshal shall be the same as in tax executions.

Sec. 2458. Insuring Proper Repairing of Streets and Sidewalks.—In order to insure the proper repairing of streets and sidewalks and to prevent the same being left in holes, and ruts, when paving on sidewalks or streets is broken under permit, the same shall be replaced by the Chief of Construction or his authorized Agents, and the cost thereof charged against said party or corporation to whom the permit was granted. Bills for said work to be made out by the Chief of Construction and turned over to the Collector of Street Improvements.

Sec. 2459. Permit to Be Issued by the Chief of Construction for the Opening of Streets, Sidewalks, Etc.—No street or sidewalk whether paved or unpaved, shall be opened for the purpose of laying conduits, sewers, setting of poles or for any purpose whatever by any person, firm or corporation, until a permit therefor shall be issued by the Chief of Construction.

Sec. 2460. Driving, Walking or Using Portions Street Being Guarded, or Where Warned.—In all cases where streets, alleys or public places are obstructed for the purpose of being improved or excavations are being made therein or other circumstances

exist, which render travel thereon dangerous for either pedestrians or vehicles of any kind and the officer or watchman in charge thereof, for the purpose of protecting such travelers, direct the travelers in a certain direction, it shall be unlawful for any pedestrian, driver of any vehicle such as buggy, wagon, automobile, or rider of bicycles or any form of travel, to walk or ride or drive on such portions of such street or crossings or public places as may be guarded by such patrolman or officer and over which such travelers are warned not to pass, and any person violating the provisions of this ordinance shall, on conviction in the Recorder's Court, be fined not exceeding one hundred (\$100.00) dollars or imprisoned upon the public works not exceeding thirty (30) days, for each offense.

Sec. 2461. Permits for Opening Streets.—The provisions of Section 2459 of this ordinance shall be applied to grants heretofore made giving general permission to open streets of the city, as well as to special applications or grants for that purpose.

Sec. 2462. Penalty for Violation.—Any person violating the provisions of Section 2459 shall, on conviction in the Recorder's Court, be fined not exceeding \$100 or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2463. Dimensions for Paving Sidewalks.—Hereafter all sidewalks ordered to be paved with tile or cement by resolution, of the Mayor and General Council or paved by the property-owner without resolution, shall be paved from the property lines out as follows: On sidewalks 10 feet wide and above, the paving shall be 7 feet wide; on sidewalks under 10 feet the paving shall be 6 feet wide.

Sec. 2464. To Protect Property Owners and the City from Inferior Work in the Paving of Sidewalks in the City of Atlanta.—All tile and sheet cement sidewalks laid upon the walks of the City of Atlanta, whether by an individual, firm, or corporation as a contractor, or by the owner of the abutting property, himself, shall be made and laid in accordance with the following specifications and none other: That is, all hexagon tiles shall be made of the thickness of 1 3-4 inches and the base of same, that

is, the bottom of 1 inch in thickness, shall be of three parts clean sharp sand to one part of best Portland Cement. The top of each tile three-fourths inch in thickness, shall be made one part clean sharp sand, and one part of the best Portland Cement, and sheet cement shall be laid on four inches of concrete, mixed in the proportion of one part cement, four parts sand and eight parts broken stone or gravel measuring not more than 1 1/2 inches in one direction and finished with one inch of Portland cement mixed one part cement and one part clean sharp sand.

Sec. 2465. Usage of Tile.—No tile shall be permitted to be laid earlier than thirty days after same has been made.

Sec. 2466. Foundation for Laying Tile on Sidewalks.—The foundation for laying tile on sidewalks of the City of Atlanta shall be of a base of hard earth or concrete, with a bedding on the top thereof, 1 1/2 inches deep, composed of sand and cement in proportion of one barrel of cement to one cubic yard of sand.

Sec. 2467. Guarantee of Laying Tile and Sheet Cement Sidewalks.—Anyone contracting to lay tile or sheet cement sidewalks in the City of Atlanta shall be required to guarantee the same for five years, and during the life of said guarantee shall be liable to repair and keep in order all of said work, if at any time same proves necessary by reason of defective work or inferior material, whenever ordered or notified by the City of Atlanta to do the same; and if at any time in the judgment of the General Council of the City of Atlanta, said work so done, is deemed worn out, said Contractor shall be required free of expense to the owner or the City to entirely replace the same, and upon failure so to do within sixty days after notice the City of Atlanta may do such repair work and recover the value thereof from the original contractor and the securities of his bond.

Sec. 2468. Duty of City Sidewalk Inspector to Make Examination of Materials Used.—The City Sidewalk Inspector shall, as often as may be necessary visit the shops and manufacturing sites of different Tile Companies doing business in the City of Atlanta whether the same are located within the limits of the City or outside thereof for the purpose of examination of ma-

materials and quantities of same used and work employed in the making of the tile themselves, and his report thereon shall be evidence of the fact as to whether said Company or firm is complying with the terms hereof, and his judgment upon inspection of the walks as being laid, shall be equally binding in the investigation of any charge made against anyone doing work on the streets and walks in the City of Atlanta as in the provision for inspection of the shops as above specified.

Sec. 2469. Permit for Laying Tile or Sheet Cement Walks.—No person, firm or corporation laying tile or sheet cement walks in the City of Atlanta shall be allowed to commence work thereon until first gaining a permit in writing from the authorities of the City charged with superintendence of such work.

Sec. 2470. Duty of Contractor to File Bond for Doing above Work.—For the faithful performance and carrying out of the obligations by this ordinance imposed each and every contractor of tile and cement work shall be required to file with the City of Atlanta a good and solvent bond in the sum of \$3,000 conditioned to faithfully carry out the terms imposed in the construction of any paving work hereafter done by said contractor, and for the period of five years from the date of the completion of each and every piece of sidewalk paving so done by said contractor, and said bond is to be executed either by a solvent guaranty bonding company as security or with two satisfactory individual bondsmen; the solvency of the same to be passed upon by the Clerk of the City of Atlanta.

Sec. 2471. Council Contract Without Advertisement—Direct—Only Charter Limitations Retained.—Any and all laws or ordinances which place any limitations on the power of the Mayor and General Council to contract directly and without advertisement or other procedure are hereby repealed; and hereafter, the Council of Atlanta, by the Mayor and General Council, shall have full power and authority to make any and all contracts, subject only to limitations prescribed by the City or laws of the State.

Sec. 2472. Distance of Awnings from Sidewalk.—Penalty.—All awnings erected in the city of Atlanta, in front of booths, stores and residence, shall be at their lowest point eight feet from the sidewalk, and the pillars supporting said awning shall be placed on the extreme outer edge of the sidewalk; and any person violating this ordinance shall, on conviction in the Recorder's Court, be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court. Occupants of booths, stores and residences shall be responsible for the location of the awnings in front of said booths, stores and residences.

Sec. 2473. Horses Not to be Fastened, Etc.—Penalty.—Any person who shall wilfully destroy any shade trees or who shall fasten any horse or animal to any shade tree, or fasten or leave such animal close enough to injure any shade tree in the city limits or in Piedmont Park, or to any lamp-post or fence within the City limits, shall, upon conviction in the Recorder's Court, pay a fine of not exceeding twenty-five dollars and costs, or imprisonment not exceeding thirty days, and the police force shall in every case seize the horse or other animal and retain it until the fine and costs are paid.

Sec. 2474. Liquids thrown on Streets—Penalty.—Any person who shall throw or discharge from any lot or building any water or fluids or liquid substance so as to affect injuriously any street, lane, alley way or sidewalk in said City, shall, on conviction in the Recorder's Court, be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court, for every twenty-four hours it is suffered to remain, after notice by an officer or member of the police force, to remove the same; but a citizen may, by permission of the Street Committee, construct a drain or hollow pavement for the water or fluid substance to pass off.

Sec. 2475. Wagons Hauling Dirt to Have Close Bodies with Stationary Bottoms—Penalty.—Any person or persons engaged in hauling or transporting dirt for any purpose whatever through any paved street, lane, alley or way of the City of Atlanta shall haul or transport said dirt in wagons or carts with close bodies

with stationary bottom, and with movable ends and sides not less than one and one-half feet high, so as not to spill any of the dirt on the streets; and no wagon or other vehicle engaged in hauling or transporting dirt shall be driven faster than a walk. Any person violating this section shall be fined not less than five dollars, nor exceeding one hundred dollars, or be imprisoned not exceeding thirty days, upon conviction in the Recorder's Court.

Sec. 2476. Sweepings—Penalty.—Any person or persons who reside on, or do business on any of the streets in the boundaries known as the sanitary limits, or any other person who shall deposit on any of the aforesaid streets, or the sidewalks of said streets, any sweepings from any stores, or dwelling houses, or place of business, or any paper, hair, fuel, slop or washings of any kind, watermelon rinds and seeds, fruit parings, any vegetable matter, or any kind of garbage, shall, on conviction in the Recorder's Court, pay a fine of not exceeding one hundred dollars for each and every offense, or be imprisoned not exceeding thirty days, or both, in the discretion of the Court.

Sec. 2477. Box or Receptacle—Penalty.—For the convenience of all persons affected by the preceding section, it shall be their duty to place all accumulations, therein mentioned, in a sound and suitable box, or other proper receptacle, and place the same on the outside of the sidewalk every morning between the hours of seven and eight o'clock except Sunday, on which day said boxes or receptacles shall not be placed on the sidewalks. After they have been emptied, they shall be immediately removed and shall not be replaced until the appointed hour on the following morning. Any person or persons violating the provisions of this section, shall, on conviction in the Recorder's Court, be punished by fine not exceeding one hundred dollars, or imprisonment not longer than thirty days, in the discretion of the Court.

Sec. 2478. Separate Receptacles for Garbage and Ashes—Penalty.—It shall be the duty of every occupant of any building, residence or place of business in the City of Atlanta, to provide and keep within or near such building, residence or place of business, two receptacles, one for garbage and the other for

ashes. Ashes shall be kept entirely separate from the garbage, etc. Receptacles for all buildings, other than residences, shall be placed on the outer margin of the sidewalk every day, between the hours of seven and eight o'clock A. M., except Sundays, when said vessels shall not be placed upon the sidewalks. When said vessels are emptied by the sanitary men they shall be immediately removed from the sidewalk. Any person violating the provisions of this section shall, on conviction thereof, before the Recorder's Court, be fined a sum not exceeding ten dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the Court.

Sec. 2479. Dangerous Lots Enclosed—Penalty for Failure.—All persons who own property adjoining streets, and whose lots are below the street so as to make a dangerous off-set, shall be required to securely enclose the same so as to prevent danger to persons passing along the streets. It shall be the duty of the Chief of Police, through the police force, to give notice to all persons who come within this section, to comply herewith, and on failure to do so, after five day's notice such person shall be arrested and brought before the Recorder's Court, and on conviction, punished by a fine of not exceeding one hundred dollars and costs, or imprisoned not exceeding thirty days, either or both in the discretion of the Court.

Sec. 2480. Selling at Auction on Street Prohibited.—Any person who shall sell at auction on the streets or alleys of Atlanta any live stock, goods or merchandise of any character, shall upon conviction in the Recorder's Court, be fined not more than one hundred dollars or imprisoned not longer than thirty days.

Sec. 2481. Vending of Patent Medicines, Etc. at Auction on Streets Prohibited.—No person or persons, under an Auctioneer's, or peddler's license, shall auction off in any street or alley within the corporate limits of the City of Atlanta, any patent medicine or articles or personal property.

Sec. 2482. Penalty.—Any person or persons violating the foregoing section shall be deemed guilty of a misdemeanor, and, on conviction before the Recorder's Court shall be fined in a sum

not to exceed \$100.00 or put to work in the public streets for a term not exceeding thirty days, either or both, in the discretion of the Recorder.

Sec. 2483. Vicious Animals—Penalty for Allowing them to Run at Large.—It shall be unlawful for the owner of any vicious or dangerous animals to allow such animals to run at large, and any person who shall allow or permit such animals to run at large shall, on conviction in the Recorder's Court, be fined not exceeding \$100 or be imprisoned not longer than thirty days.

Sec. 2484. Owners Shall Trim Shade Trees—Upon Failure Chief of Construction Shall Have Work Done.—It shall be the duty of the property-owners in this City to cause all shade-trees along the sidewalks in front of their property to be trimmed up to a distance of eight-feet from the ground. If said property-owners shall fail to do the same it shall be the duty of the Park Commission to cause it done and report the same with the cost thereof to the Clerk of Council, who shall issue execution against such for the amount, and said execution shall be collected as tax executions.

Sec. 2485. File Plats of Property Laid Off for Sale—Penalty for Failure to Comply.—It shall be the duty of each and every property-owner or agent of such owner having property in charge who sub-divides any property in said City for the purpose of division or for sale, to file with the city a true copy of the plat or place of such division, giving dimensions of such proposed lots and width of such proposed streets. Any person who shall fail to comply with the provisions of this ordinance within ten days notice after such sale or sub-division shall, on conviction in the Recorder's Court, be fined not more than \$25.00.

Sec. 2486. Telegraph and Telephone Poles to be Painted.—All telegraph or telephone poles erected in the streets of the City shall be painted, and said painting shall be kept in good repair. The Chief of Construction may at any time notify the owners of said poles to paint or repair the same, and upon their failure to do so within ten days, the poles shall be removed.

Sec. 2487. Telephone and Other Poles under Control of City.—All Telegraph and Telephone Companies, Electric Street Railway Companies and Electric Light Companies, owning or using poles heretofore or hereafter placed in the City of Atlanta, shall have the right to keep and use such poles, subject to the power and authority of the Board of Electrical Control, to regulate the placing and removal of such poles, and the Board of Electrical Control shall have authority, in their discretion, to reject any poles already in use, or which any of said Companies propose to erect, and in case of the rejection of any poles already in use, to require their removal and to prevent the use of the poles which they deem to be unsuitable or unsafe, and it shall also be within the power and authority of the Board of Electrical Control to require the removal of poles belonging to any of said Companies when necessary, in their judgment, to facilitate the improvement of any street, or portion of the street, or the improvement or convenient use of any lot abutting on any street or portion of a street.

Sec. 2488. Penalty for not Removing Condemned Poles.—Any person or Company owning or using any such poles, who shall fail or refuse within five days after notice from the said Board of Electrical Control, to remove any pole or poles deemed by them to be unsuitable, unsafe or improperly located, or the location of which they shall require to be changed, shall upon conviction thereof be punished by fine not to exceed \$100.00, or imprisonment not to exceed thirty days, either or both, in the discretion of the Court, and the erection and use of any pole rejected or condemned by such Electrician shall subject the offender, on conviction, to the same penalty as hereinbefore described.

Sec. 2489. Electric Wires—Height Twenty seven Feet Above Street.—All telegraph, telephone, electric light, burglar alarm, fire alarm, or other wires which shall be erected over the streets or sidewalks of said City, shall not be less than twenty-seven (27) feet in height, or higher, if this General Council should hereinafter determine to increase the height of same, from the surface of said street or sidewalk, and that all of said wires when connected with any building shall run at right angle from the poles to the building, so that no portion of said wire being over the

street or sidewalk shall be of less height than twenty-seven feet from the surface of said street or sidewalk.

Sec. 2490. Change—Thirty Days' Notice by Chief of Fire Department, or Any Person Acting for Him.—All such wires, now stretched in said City, shall conform to the provisions of preceding sections, and that all persons in charge thereof, shall, within thirty days after notification by the Chief of Fire Department, or other persons acting for him, and under his authority, change their wire so as to comply with the provisions of this ordinance. A written notice signed by the Chief of the Fire Department and left at the principal business office of any person, corporation or company engaged in any such business described, shall be deemed, and held to be, sufficient notice under this ordinance.

Sec. 2491. Penalty.—Any person, firm or corporation violating any of the preceding provisions, shall, on conviction before the Recorder's Court, in this City, shall be fined in a sum not exceeding One Hundred Dollars, or imprisoned for thirty days, either or both, in the discretion of the Court, and that service left at the principal business office of any such person, company or corporation, so engaged in such business in said City, shall be deemed to be sufficient notice to any such person, company or corporation, to appear before the Recorder's Court, to answer the charge recited.

Sec. 2492. Fire Department May Cut Wire.—The Chief of the Fire Department, or other authority acting under him, is hereby authorized to cut any and all of said wires which they shall deem necessary to cut on the occasion of fire alarm without expense to the City for so doing; provided, that nothing herein contained shall imply that the City authorizes any person to undertake the risk of cutting any of said wires or renders itself liable for any injury to the person so doing.

Sec. 2493. Electric Wires Twenty-four Feet from Surface of Ground.—From and after the passage of this ordinance all electric wires shall be placed at a distance from the surface of the ground at not less than twenty-four feet, and any violation of this ordinance shall subject the offender to fine or imprisonment,

as in Section 2491, penalty, in the discretion of the Recorder's Court.

Sec. 2494. City Not Liable for Any Accident by Electric Wires, Etc.—Nothing contained in any of the ordinances, resolutions, or acts of the General Council in relation to the erection of telegraph, telephone, electric, burglar alarm, or other wires shall be construed to mean that the City of Atlanta holds itself in any manner responsible or liable for damages to persons or property by reason of any accident, or occurrence, but that the city disclaims any liability whatever in the premises.

Sec. 2495. Penalty for Injuring Street Directory Boards, etc.—Any person or persons who shall remove, or cause to be removed, or who shall mutilate, deface, destroy or injure any of the street directory boards, shall, on conviction before the Mayor, Recorder or three members of Council, pay fine of not more than Five Hundred Dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court; provided, unless it should become necessary to remove the same for building or repairing purposes, in which case the owner of the property, or the person who removes the board, must place the same in its correct or original position, immediately after the completion of such building or repairing.

Sec. 2496. Street Sprinkling.—Sprinkling the streets, sidewalks or crossings with water shall be, and is hereby prohibited, excepting between the hours of 5 and 7 o'clock A. M.; 12 and 1 o'clock P. M., and 6 and 8 o'clock P. M.; provided, that from September 1st to May 1st, the hours for sprinkling shall be from 6 to 8 o'clock A. M., from 12 o'clock M. to one o'clock P. M., and from 5 to 7 o'clock P. M. A violation of this section shall, on conviction, subject the offender to a fine not to exceed \$100 and costs, or imprisonment not to exceed thirty days, one or both, in the discretion of the Court. It shall be unlawful for any person in sprinkling water in said city, from a hose pipe or otherwise, wilfully or carelessly to sprinkle the same against or upon any person or persons, horses or carriages; provided, that on the trial of any person charged with a violation of this section, it shall be competent for the accused to introduce testimony to

the effect that proper diligence had been used, and precaution exercised, and that the occurrence was purely accidental and not the result of criminal negligence, or malicious or mischievous purpose. Any person violating this section shall, on conviction, be punished as prescribed in this ordinance. The provisions of this section, with reference to sprinkling and the subsequent ordinance with reference to sprinkling or throwing water upon asphalt pavements, shall not be applied to regular sprinkling wagons or carts, except as to Whitehall street viaduct, approaches thereto, and the asphalt pavements north of Houston street and south and southwest of Trinity avenue, and those in charge of such wagons and carts shall be allowed to sprinkle all streets, save as herein excepted, at such hours as they shall deem best, provided asphalt streets, herein permitted to be sprinkled, shall be sprinkled with such force and quantity of water as to thoroughly cleanse same.

Sec. 2497. Street Sprinklers Not Required to Cut Off Water at Crossings.—The street sprinklers shall not be required to cut off water when sprinkling crossings of streets on which belgian blocks or rubble stones have been placed.

Sec. 2498. Regulations for Setting Poles in Streets—Penalty.—All telegraph, telephone, electric light, and all other companies who set poles for the purpose of business in this City, shall remove any and all surplus dirt after setting such poles. Any person who shall violate the foregoing ordinance shall, on conviction thereof, be imprisoned in the calaboose not exceeding thirty days, or fined not exceeding, \$100 either or both, in the discretion of the Court.

Sec. 2499. Sidewalks to Be Left in Good Condition when Poles are Removed.—Telegraph, telephone, electric and other companies which erect or remove poles on the sidewalks, shall leave the sidewalk in as good condition as it was found before said work was done, and it shall not be sufficient in removing poles, to saw off the said pole with a level with the sidewalk and leave the body thereof on the ground, but the same shall be removed, and the hole filled, and the sidewalk be replaced with material similar to that already on said sidewalk.

Sec. 2500. Penalty.—Any person or persons violating preceding section shall, on conviction before the Recorder's Court, be subject to a fine not exceeding twenty-five dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 2501. Rubble Between Street Railroad to Be Placed with Belgian Blocks—Penalty.—Whenever any street railroad company, in repairing its tracks, removed its rubble between the tracks, the repairing between said tracks shall be done with Belgian blocks; provided, the balance of said street is paved with Belgian block and for a violation of this ordinance, the officer of the offending company shall be liable to a fine not exceeding five hundred dollars or work on the public works for a term not exceeding thirty days, upon conviction in the Recorder's Court.

Sec. 2502. Provisions for System of House Numbering.—From the surveys recently made for a new city map, the Chief of Construction shall devise a system of numbers for streets and houses; that all the numbers which are consecutive, remain intact, and from a point where the first gap occurs, beyond the fire limit, the spacing of distances be extended to city limits in each direction.

Sec. 2503. Numbers—How Obtained.—Each owner or occupant of a house, or a part of a house, shall apply to the Chief of Construction for the proper number to his or her house, for which the applicant, shall pay a fee of twenty-five cents, which the Chief of Construction shall turn into the hands of the Tax Collector.

Sec. 2504. How Done—Two Numbers—Direction of Chief of Construction.—The numbers shall be arranged so as to change as few numbers on houses that are now numbered as possible, but the unnumbered houses shall be numbered as nearly as conveniently can be, conforming as near as practicable to the houses already numbered. When two houses on the same street have the same number, it shall be in the discretion of the Chief of Construction to determine which is the proper number.

Sec. 2505. Owner's Privilege.—The owner or occupant of any house shall have the right to determine the form, size, material and location of such numbers, except they shall be inscribed or affixed in a conspicuous place; but such owner or occupant shall obtain from the Chief of Construction the proper number.

Sec. 2506. Penalty.—Any owner or occupant of a building who shall affix or retain any number, contrary to preceding sections and direction of the Chief of Construction, for one week, after being notified to change the same, shall, on conviction thereof, in the Recorder's Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, one or both, in the discretion of the Court.

Sec. 2507. Details of Numbering.—All houses fronting on the various streets or alleys in the various streets in Atlanta, shall be numbered by or under the direction or supervision of the Chief of Construction and that this be done without any charge to the owners of the property already improved. In making these surveys necessary to this renumbering the plats of such surveys shall also indicate the proper numbers for the houses to be hereafter erected on property now vacant, any persons improving such property shall number it at their own expense. In making these surveys, the present plan of house numbering shall be observed and followed so far as it is practicable to do so; but streets, where numbers run in wrong direction, shall have this irregularity corrected. And twenty-five feet front shall be the space required for a number, except where the present condition of the property requires a number of a less or smaller frontage. After the houses are renumbered, as hereinbefore provided for, and plats are made showing proper numbers for houses to be erected on property now vacant, it shall be unlawful for any owner, agent, or occupant to have any house in said city improperly numbered; or without a number; and any person, whether owner, agent in charge of or occupant of such house, who shall knowingly have the same, or allow the same to continue improperly numbered, or to remain without a number, for the space of ten days, after the beginning of such ownership, agency, or occupancy, shall, on conviction thereof, in the Re-

corder's Court, pay a fine of not exceeding one hundred dollars, or be imprisoned in the station house or public works not exceeding thirty days.

Sec. 2508. Marietta Street Widened.—Marietta Street, commencing at the incorporation line of said city, on the east side of said street and running southwardly in a straight line with Payn's line, is hereby opened and widened on the west, so as to be 50 feet wide, and said street shall thence continue in a straight line, with Payne's and Mill's fences, of said width, until it intersects with what is now known as Marietta St., and thence 50 feet until it intersects with Walton street.

Sec. 2509. Change of Names.—The name of Pierce street is changed to Decatur St., and that portion now known as Decatur St. from Pratt St. to the Georgia Railroad, shall take the name of Shipley Street, and the name of Payne Street is changed to Marietta St., and the name of Cobb street is changed to Hunter street; and the said street shall be hereafter known in the plan of the city of Atlanta by the names hereby given them. The name of Wadley street is changed to Forsyth street, and the name of Stockton street to Mitchell street.

Sec. 2510. Whitehall Street between Railroads and Marietta street—Sixty Feet Wide—Change of Name to Peachtree street.—Whitehall street, in said city, from the railroad crossing to the junction of Marietta and Decatur streets, shall be sixty feet wide, and no less; and the name of that portion of said street is changed to Peachtree street.

Sec. 2511. Pryor Street—Extends from Alabama Street to Decatur Street.—That portion of Pryor street heretofore obstructed by the Macon and Western Railroad Depot is re-opened, so that said street shall extend uninterruptedly from Alabama street to Decatur street of the same width as the remaining portion of said street.

Sec. 2512. Alleys Changed to Streets.—The following named alleys are hereby changed into streets, bearing the following names, to-wit:

Jones Alley changed into Jones street.

Faith Alley changed into Rawson street.

Clarke Alley changed into Clarke street.

John's Alley changed into Fulton street.

Henry Alley changed into Richardson street.

Mobb's Alley changed into Crumley street.

An alley from Peck and Schofield's Planing Mill, in a northern direction to the corporation line, shall be called Fort street. All of said streets shall be forty feet wide, the same being widened by taking five feet on each side from the land adjoining said streets.

Sec. 2513. Bartow Street.—The street recently opened, extending from the Western and Atlantic Railroad, and intersecting Cain street, shall be named Bartow street.

Sec. 2514. Width of Streets Hereafter.—All streets hereafter laid out in said city shall not be less than fifty feet wide.

Sec. 2515. More Names Changed.—The name of Branch Alley is changed to Brotherton street in honor of W. H. Brotherton.

The name of Racetrack street is changed to Chapel street.

The name of Barracks street is changed to Leonard street.

The name of Trebursey street is changed to Tatnall street.

The name of Mayes alley is changed to Mayes street.

The name of Booth's alley is changed to Hayne street.

An alley running parallel with Hunnicutt and Mills street, from West Peachtree, to a point near Marietta street, is hereby named Baker street.

Sec. 2516. Peachtree Street.—Oak street, running from Peachtree street to Ivy street, shall be known as Peachtree street, and that portion of the street heretofore known as Ivy street, running from the street heretofore known as Oak street to the corporaion line, shall be known as Peachtree street.

Sec. 2517. West Peachtree Street.—That portion of the street heretofore known and designated as Peachtree street, running from the junction of Peachtree and the street heretofore

known as Oak street to the corporate limits, shall be known as West Peachtree street.

Sec. 2518. Waverly Place (later closed).—That portion of East Alabama street from Loyd to Washington shall be known as Waverly Place.

Sec. 2519. Capitol Avenue—Logan Street—Park Avenue.—McDonough street, where it intersects Hunter street, running thence southerly to the City limits, is changed to Capitol avenue. Johnson street, in the Third Ward, is changed to Logan street. The new sixty feet street donated to the City by Col. L. P. Grant, extending from Fair street to the L. P. Grant Park, is hereby given the name of Park Avenue.

Sec. 2520. Magnolia Street—Magazine and Part of Cain Changed to.—The street known as Magnolia street, and that part of Cain street between Marietta street and the W. & A. Railroad, is changed to Magnolia street, and the bridge across the W. & A. Railroad, connecting the same, is known as Magnolia Bridge.

Sec. 2521. Milledge Street—Courtland Street.—Bree street, in the Southeast of the City, is changed to Milledge street. The portion of Collins street beginning at Decatur street, and extending in a Northerly direction to its terminus, is changed from Collins street, and named Courtland avenue.

Sec. 2522. Berrien Street—Logan Street.—Mills Street in the Third Ward, from Tennell street south to East Fair street, is changed to Berrien street. The name of Pettis street, its entire length, is changed to Logan street.

Sec. 2523. Exchange Place—Edgewood Avenue—Jennings Street.—The name of Line street, from Peachtree street to Ivy street, was first changed to Exchange Place, and afterwards from Exchange Place to Edgewood avenue. The name of Jennings alley is changed from Jennings alley to Jennings street.

Sec. 2524. Hammock Street—West Harris Street.—The alley situated between Fulton and Richardson streets, and running from Frazier to Martin streets, shall be called Hammock street. The name of that portion of Foundry street between Marietta street and Luckie street is changed to West Harris street.

Sec. 2525. Earl Street—Smith Street.—The name of that portion of Foundry street between Marietta street and Luckie street is changed to West Harris street. The name of that portion of West Harris street as heretofore known, between Marietta and Luckie streets, is changed to Earl street. Gate City street is changed to Smith street.

Sec. 2526. Deroy Street.—The street running from Decatur street to Gartrell street, running parallel with and between Fitzgerald and Antionette streets, be and the same is hereby named and designated Deroy street.

Sec. 2527. Linden Street.—Mayer street is changed to Linden street.

Sec. 2528. Extension of Garnett Street.—The street connecting Garnett street with Pulliam street is named Garnett street.

Sec. 2529. Capitol Square.—That portion of East Mitchell street from Washington street to Capitol avenue, and that portion of Capitol avenue between Hunter and Mitchell street, shall be known as Capitol square.

Sec. 2530. Hill Street.—The name of South Bell Street, between Bell street Bridge and East Hunter street, is changed to Hill street.

Sec. 2531. Georgia Avenue.—Anderson street is changed to Georgia avenue.

Sec. 2532. Woodward Avenue.—The name of Jones Street is changed to Woodward avenue.

Sec. 2533. Sunset Avenue.—The name of Arthur street is hereby changed to Sunset avenue.

Sec. 2534. Lyon Avenue.—Jackson avenue between Hilliard and Jackson streets, and Coker avenue between Jackson street and Boulevard, is changed and consolidated to be known as Lyon avenue.

Sec. 2535. Change of Names of Several Streets.—The names of the following streets are changed as follows: Ella street from Leonard to City Limits, to Drake street; Henry street from Elliott to Davis, to Tyler street; Herbert street, from Simpson to Bellwood, to Griffin street; Wallace street from Decatur North to Richmond and Danville Railroad, to Krog street; Pearl street from Linden to North avenue to Nutting street.

Sec. 2536. Hemphill Avenue.—The new avenue to the reservoir from the City is given the name Hemphill avenue in honor of the Mayor, under whose administration the new system of waterworks will be completed. The name of Wallace street, from Marietta street to its terminus, is changed to State street. The name of Borbe street is changed to Powell street.

Sec. 2537. Porter Place.—The name of Porter's Alley, leading from Peachtree street to West Peachtree street, is changed to Porter Place.

Sec. 2538. Gaskill Street.—The name of Eisewald street is changed to Gaskill street.

Sec. 2539. Auburn Avenue.—The name of Wheat street from Peachtree to Irwin street is changed to Auburn avenue.

Sec. 2540. Madison Street.—The name of Thompson street is changed to Madison street.

Sec. 2541. Kingsley Street—Keystone Street.—The street extending Northwardly from East Fair to East Hunter street, between Frazier and Terry streets, and immediately east of the jail property, is named Kingsley street. The street extending Eastwardly from Kingsley street to Terry street, between East Hunter and East Fair street, is named Keystone street.

Sec. 2542. Battle Hill Avenue.—The name of the street called "New Green's Ferry Road," which runs West from the work of

Green Ferry and Mayson's and Turner's Ferry Roads at Baker's Store to the City limits, is changed to Battle Hill avenue.

Sec. 2543. Piedmont Avenue—North Avenue.—The name of Calhoun street is changed to Piedmont avenue. The name of Emma street is changed to North Avenue.

Sec. 2544. Whitehall Place.—The street running from Brotherton street to Fair street is given the name of Whitehall Place.

Sec. 2545. Evans Street.—The name of Blanche street is changed to Evans street.

Sec. 2546. Murphy Avenue—English Avenue—York Avenue.—The name of McPherson avenue is changed to Murphy avenue. The name of Milledge street in Fifth Ward is changed to English avenue. The name of Caldwell avenue is changed to York avenue.

Sec. 2547. Cherokee Avenue.—The name of Madison avenue, in the Third Ward, is changed to Cherokee avenue.

Sec. 2548. Name of Railroad Avenue Changed.—The name of Railroad avenue, from junction of Whitehall and Peters street to Gordon avenue is changed to Whitehall street.

Sec. 2549. Glenwood Avenue.—The name of Glynn street is changed to Glenwood avenue.

Sec. 2550. To Change the Name of Jenkins Street.—Whereas Joseph Gatins, and a number of other citizens living and owning property on Jenkins street petition for change of the name of that street; and whereas the Mayor and General Council deem it fitting to grant such request; the name of Jenkins street from Piedmont Avenue to Pratt street is changed to Armstrong street.

Sec. 2551. Central Place.—The name of that portion of Butler street lying between Capitol avenue and Hunter street, is hereby changed to Central Place.

Sec. 2552. Whitehall Terrace.—The name of Smith street from Whitehall street to Glenn street is hereby changed to the name of Whitehall Terrace.

Sec. 2553. Lena Street.—The street recently laid out through the Elliott property at a point on Ashby street 650 feet north of Hunter street, and extending west to the City limits, is named Lena street.

Sec. 2554. Continuation of Cherokee Avenue.—The newly opened street commonly called Thomas street, extending north from Georgia avenue on the west side of L. P. Grant Park, it being a continuation of Cherokee avenue, and reaching to East Fair street, is named Cherokee avenue.

Sec. 2555. Signs to be Placed Accordingly.—Proper signs, having on them the name of Cherokee avenue, shall be placed on said street throughout, and the houses thereon shall be correctly numbered under the direction of the Chief of Construction.

Sec. 2556. Continuation of Cherokee Avenue—Oakland Avenue.—The street heretofore known as Thomas street, extending from Fair street to Sydney street, is changed to Cherokee avenue; and the street heretofore known as Gullatt street extending from the Georgia Railroad to Glenn street, is changed to Oakland avenue; and the unnamed alley extending from Decatur street to the Georgia Railroad between Butler street and Moore street is known as McCord Place.

Sec. 2557. West Peachtree Place.—The name of that portion Powers street between West Peachtree and Williams streets, is changed to West Peachtree Place.

Sec. 2558. Columbus Avenue.—The name of the street in the First Ward of the City of Atlanta, which is called Mule street, is changed to Columbus avenue, in honor of Christopher Columbus, the celebrated discoverer of America.

Sec. 2559. Central Avenue.—The name of Loyd street is changed from Loyd to Central avenue, and the street beginning at the South Side of Decatur street, and running south to Dodd avenue along east side of passenger depot, heretofore known as Loyd street, shall be hereafter known and recognized as Central avenue.

Sec. 2560. Angier Place.—Howell street, extending from Angier avenue to Rice street, is changed to Angier Place.

Sec. 2561. Armistead Place.—The street two hundred and forty feet west of Fourth street, running from West Peachtree street to Spring street, is named Armistead Place.

Sec. 2562. Cherokee Place.—The name of Glenn street, from Garden street to Cherokee avenue, is changed to Cherokee Place.

Sec. 2563. Changing Name of Portion of Ivy Street.—The name of that portion of Ivy street between the south side of Forrest avenue, and a point two hundred feet south of the beginning point, as shown in the annexed plat, is hereby changed to Peachtree street.

Sec. 2564. West Avenue.—The name of Rhodes street is changed to West avenue.

Sec. 2565. Carnegie Place.—In recognition of the generosity of Andrew Carnegie, Esq., of Pittsburg, Pa., in donating \$145,000 to the building and equipment of a public library in our city, and as an expression of our gratitude to this distinguished citizen and noble philanthropist, the name of the street, upon which the library is, for the most part, situated, namely Church street, is changed to Carnegie Place.

Sec. 2566. Dickson Place.—Dickson Place, being a street which runs north from Eleventh street, terminating within the block, and constructed by Mrs. Dickson, and heretofore tendered to the City of Atlanta, be and the same is hereby accepted as one of the public streets of the City under the name of Dickson Place.

Sec. 2567. Carroll Street.—The name of Factory street running from Georgia Railroad to South Boulevard is changed to Carroll street.

Sec. 2568. Changing Name of Part of Magnolia Street.—The name of Magnolia street between Marietta street and Luckie street is hereby changed to West Cain street.

Sec. 2569. Pie Street.—The alley between North Boulevard and Jackson street, will be hereafter known and called Pie street, instead of Bealer's alley.

Sec. 2570. Grace Street.—The name of street known as Grace street, south of Houston street, be changed from Grace street to Grace Place.

Sec. 2571. Stewart Avenue.—The name of Ocmulgee street from Whitehall street to Wells street, is hereby changed to Stewart avenue, and the name of Kries street from Wells street to Glenn street is hereby changed to Stewart avenue.

Sec. 2572. Tabernacle Place.—The name of that portion of West Harris street, which extends from Luckie to Marietta street, is changed from West Harris street to Tabernacle Place, and said street will be hereafter known and designated by that name.

Sec. 2573. Bedford Place.—That portion of Fort street from Forrest avenue north to the City limits is changed to Bedford Place.

Sec. 2574. DeKalb Avenue.—That portion of Decatur street from Waddell street to the City limits is changed to DeKalb avenue.

Sec. 2575. Connally Place.—The short street extending from Crumley street northwardly along the rear of Ira street school lot is named Corbally Place.

Sec. 2576. Sinclair Avenue.—The northern branch of Lake avenue from Lake avenue to Augusta avenue is changed to Sinclair avenue.

Sec. 2577. Boulevard Place.—The name of East Linden avenue from Boulevard east to the City limits is changed to Boulevard Place, and five dollars is appropriated from streets ordinary to change the street signs and numbers.

Sec. 2578. Electric Avenue.—The name of street now called Love street is changed to that of Electric avenue.

Sec. 2579. Eleventh Street.—The street now called Peachtree View extending from Peachtree street to West Peachtree street is changed to Eleventh street, this being its numerical order in the position of those streets running east and west at right angles with Peachtree street.

Sec. 2580. Western Avenue.—Bush street from Gray Street west to the City limits is changed to Western avenue.

Sec. 2581. How to Spell Forrest Avenue.—It is the sense of this Council that the street known as Forrest avenue was named as an honor to the gallant General N. B. Forrest, and that the name of the street should be spelled with two "r's."

Sec. 2582. Summit Avenue—East Avenue.—Blackman street from Forrest avenue to Jackson street, is changed to Summit avenue. Morris street from Jackson street to City limits, is changed to East avenue.

Sec. 2583. Trinity Avenue.—Peters street from Forsyth east to junction with Fair is changed to Trinity avenue.

Sec. 2584. Painting—Printing, Etc.—On Sidewalks and Windows Prohibited—Penalty.—It shall be unlawful for any person to write, print, paint or paste, any letter or letters, or other advertising device, upon the sidewalks of the City of Atlanta, or upon the walls, windows, doors, or fence of another without the consent of the owner. Any person violating this section shall, on conviction before the Recorder's Court, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court.

Sec. 2585. Ponce de Leon Avenue—Sidewalks.—The brick sidewalks on Ponce de Leon Avenue shall be laid so as to leave a grass plat of four feet between the brick and curbing.

Sec. 2586. Washington Terrace.—The name of the street now known as Love street, between Washington and Pulliam streets, is changed to Washington Terrace.

Sec. 2587. Gammon Place.—The name of Barron avenue, extending from Jonesboro Road to the Gammon Theological Seminary, is changed to Gammon Place.

Sec. 2588. Tift Avenue.—The names of James street and Benjamin street, from Glenn to Pierce street, is changed to Tift avenue.

Sec. 2589. North Lawn Street.—The name of that part of Ella street, extending from Lawn street to Lee street, is changed to North Lawn street.

Sec. 2590. Gordon Place.—The name of Wilson Place, a street in the Seventh Ward running from Gordon street to Oglethorpe avenue, is changed to Gordon Place.

Sec. 2591. Boulevard Terrace.—The name of Morrison avenue is changed to Boulevard Terrace.

Sec. 2592. Bradberry Street.—Bradberry Alley, extending from Haynes street to West Fair street, is hereby accepted as a street and named Bradberry street.

Sec. 2593. Griffin Street.—The names of Granger street, from West Hunter to Foundry street, and Herbert street, from Foundry to Simpson street, are changed to Griffin street, connecting with Griffin street, which extends from Simpson street to City limits.

Sec. 2594. Flat Shoals Avenue.—The street beginning at Wylie street, and running thence in a southerly direction to the southeastern limits of the city, is named Flat Shoals avenue.

Sec. 2595. Blue Ridge Avenue.—The street known as Lavinia avenue, extending from Highland to Glenwood avenue, is changed to Blue Ridge avenue.

Sec. 2596. Seminole Street.—The street recently graded, from the south side of Ponce de Leon avenue, between Highland and Moreland avenue, and running south to Cleburne avenue is named Seminole street.

Sec. 2597. St. Charles Avenue.—The street beginning at the intersection of Moreland and St. Charles avenue, an extension of St. Charles avenue, is made and named a part of St. Charles avenue.

Sec. 2598. Glenwood Avenue.—Glenwood Avenue, begins at the Boulevard and runs to a point near the city limits, thence the road or street extends eastwardly to a point near Marbut and Minor's store (now called Magazine road), thence continues eastwardly, called Wellham avenue; all of said streets or road should have the same name within the city limits and it is hereby ordained that all of said streets or roads shall be called Glenwood avenue.

Sec. 2599. Cleburne Avenue.—The name of the avenue situated in the eastern portion of the city, known as Augusta avenue, is changed to Cleburne avenue.

Sec. 2600. Walker Street, from Cleburne Ave. east to Euclid avenue, is named Humes street.

Sec. 2601. Scott Street.—From Euclid avenue east to Whitefoord avenue, is named Allen street.

Sec. 2602. Edgewood Avenue.—From Candler street east to Mell avenue, is named Iverson street.

Sec. 2603. Baker Street.—From Mell avenue east to limits is named Ross street.

Sec. 2604. Oak Street.—From DeKalb avenue north to McLendon avenue, is named Ferguson street.

Sec. 2605. Stephens Street.—From Haas street northwest to Metropolitan avenue, is named Granbury street.

Sec. 2606. Central Avenue.—From LaFrance street south and west to Maude street, is named Lowrey street.

Sec. 2607. George Street.—From Moreland avenue east to Flora street, is named Govan street.

Sec. 2608. Peachtree Avenue.—From Boulevard DeKalb north to Hardee street, is named Maney street.

Sec. 2609. Baker Street.—From Flora street east to Whitefoord avenue, is named Finley street.

Sec. 2610. Oliver Street.—From Whitefoord avenue west to Dupont avenue, is named Gist street.

Sec. 2611. Metropolitan Avenue.—From Whitefoord avenue east to Montgomery, is named Lewis street.

Sec. 2612. Middle Street.—From Whitefoord avenue east Montgomery, is named Vaughn street.

Sec. 2613. Center Street.—From Middle street north to Metropolitan avenue, is named Strahl street.

Sec. 2614. Newton Street.—From Leggett avenue east to limits, is named Mercer street.

Sec. 2615. Capitol Street.—From South Delta East Walnut is named Cummings street.

Sec. 2616. Myrtle Street.—From Georgia Railway and Electric Co.'s tracks south is named Deas street.

Sec. 2617. Pine Street.—From Kirkwood avenue south is named Holtzelaw street.

Sec. 2618. Willow Street.—From Leggett avenue south is named Gibson street.

Sec. 2619. Walnut Street.—From Kirkwood Avenue south is named Stovall street.

Sec. 2620. Porter Street.—From Leggett avenue north to Wylie street is named Walthall street.

Sec. 2621. Clay Street.—From Leggett avenue east to Porter is named Manigault street.

Sec. 2622. McDonald Street.—From Georgia Railroad to Moreland avenue is named Brantley street.

Sec. 2623. Arnold Street.—From Mayson venue east to Pearce street is changed to Pearce street, as it is a continuation of the same street.

Sec. 2624. Candler Street—Several Streets Consolidated Into.—The several streets located in the City of Atlanta, and now known as Candler street, extending or supposed to extend from DeKalb avenue northward to McLendon street, Royston street, extending or supposed to extend from McLendon street northward to Euclid avenue, and Daley avenue, extending or supposed to extend from Euclid avenue northward to Fairview avenue, or street, in Druid Hills, be, and the same are hereby consolidated and made into one and the same street, which said street shall from and after the passage of this ordinance, be known and called by the name of Candler street; That, as soon as is convenient, the said several streets, herein consolidated and made into one, known as Candler street, shall be extended in such a way as to be one continuous street from DeKalb avenue to Fairview avenue, or street, except it is not intended by this ordinance to make said streets exactly continuous in a direct line at McLendon street and Euclid avenue, but the jogs or angles, as now exists, are not to be affected by this ordinance.

Sec. 2625. Michigan Avenue—Oakland Avenue in Oakland City changed to.—The name of Oakland avenue in that part of the City of Atlanta formerly known as Oakland City, be and the same is hereby changed to Michigan avenue; that part thereof east of Lee street to be known as East Michigan avenue; and that part thereof west of Lee street to be known as West Michigan avenue.

Sec. 2626. Hollins Street—Shifted.—Hollins street, a street running from Wells street on the north to the Southern Railroad in the rear, be shifted and changed from its present location to position shown on attached plat, and marked "proposed street," except the part lying between Morris street and Southern Railway right of way, which will remain as now located. The shifting or change herein ordained, places Hollins street 123.5 feet east of its present location, on Wells street, and 50 feet on Morris street, and between said Wells and Morris streets, said Hollins street has an irregular chair shape, and is 20 feet in width for the length of the proposed change.

Sec. 2627. Donnelly Avenue.—The street on the south side of

the L. & N. Railroad extending from the East Point Road to Cascade avenue be named Donnelly avenue.

Sec. 2628. Barnett Street.—Kearsage Avenue changed to.—The street in the Ninth Ward, running north and south from Greenwood avenue to Williams Mill Road, between Ponce de Leon Springs and Highland avenue, and sometimes called, in part, Barnett street, and at other places Kearsage avenue, be hereafter called Barnett street in memory of Dr. Barnett, the former beloved pastor of the First Presbyterian Church.

Sec. 2629. West Tenth Street—Change from Emmett Street.—The name of Emmett street, a street running from West Peachtree street to the W. & A. Railroad, be changed from Emmett street to West Tenth street.

Sec. 2630. Cooledge Place—Part of Boss Avenue Changed to.—The name of Means street, between Boss avenue and Murphy street, is changed to Cooledge Place.

Sec. 2631. Certificate as to Street Openings—By Whom Signed.—For every opening necessary to be made in any street paved or unpaved, a certificate shall issue, and be signed by the Secretary or Superintendent of the Waterworks, which shall show that the person doing the work is an employee of the waterworks department, and is authorized to do the particular work, upon which he is engaged. Such a certificate shall be necessary and sufficient for the protection of the workmen in the case of each opening made.

Sec. 2632. Shall Notify Chief of Fire Department—Of What—When.—The workman in charge of each opening shall notify the Chief or Acting Chief of the Fire Department of such opening, which is not to be closed before night, by two (2) o'clock P. M. daily, and shall also see to it that every such opening is properly protected by lights at night to prevent injury to persons or property of persons traveling the street.

Sec. 2633. May Notify Chief of Construction—His Duty.—

The workman in charge of any such opening, at which his work is completed, may relieve himself and the Waterworks Department from responsibility therefor by notifying the Chief of Construction in writing by two (2) o'clock P. M. of the existence, location, and character of such opening, and that it is ready for re-filling, and it shall then be the duty of the said Chief of Construction to refill the same, and until it is refilled to give the Fire Department notice of its existence and location, and also to have the necessary lights placed and kept in position at such openings.

Sec. 2634. Cannot Remove Pavement without Permit or Certificate.—Penalty.—Any person found by the officers or members of the police force removing the belgian blocks, rubble, macadam, or sand or earth from the streets or sidewalks without a permit from the Chief of Construction, or a certificate from the water office, as provided for by this ordinance, shall be arrested, and upon conviction shall be punished by fine of not more than one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court, and any person violating any other provision of this ordinance shall be subject to the same punishment herein stated.

Sec. 2635. Notify Chief of Fire Department of Any Work in Streets.—It shall be the duty of all persons doing any kind of work on the streets of this City, such as paving, laying sewers, sidewalks, and curbing, moving buildings, or any other work, that in any way obstructs the free passage of the same, to notify the Chief of the Fire Department of the same before such work is commenced and on the completion of the same.

Sec. 2636. Penalty for Failure.—A violation of preceding section shall be punished, upon conviction before the Recorder's Court, by a fine of not over one hundred dollars, or imprisonment for thirty days, or both.

Sec. 2637. Old Belgian Blocks—City Takes—Pays Property-owner 25c per square yard—Used to Repair Other Streets.—On all streets where Belgian blocks are ordered taken up and the

street ordered repaved with other and different pavement, such Belgian blocks, when so removed, shall be taken possession of by the City and used for the purpose of repairing the streets and public places of the City, provided that in all such cases the City of Atlanta shall pay to the then property-owners the sum of 25c per square yard, on account of each yard of block paid for by said abutting property-owners or other person or corporation.

Sec. 2638. Property Owner Not to Take Old Blocks or Stone Removed in Re-paving—Same Used on other Streets.—No person or street car company shall take possession of any blocks, Belgian or stone, when removed from the streets ordered repaved, but such blocks, where condemned, shall be used by the City for the benefit of the public in repairing other streets or public places, and in all cases where such removed pavement is of material different from Belgian block, then the General Council shall provide a resolution fixing the value on such material and order same paid over to the then abutting property owners or street car company thereon.

Sec. 2639. Rope and Bridges for Excavations.—All persons, firms or corporations opening streets, sidewalks or public places for any purpose, with or without special permission therefor, shall erect around said excavation a rope fence, secured by iron stakes or iron pipe, these stakes to be driven at the corners of the excavation and along same, where such excavation is longer than fifteen feet in length, at distances not exceeding six feet apart. When the stakes are made of iron, same shall be not less than one inch in diameter, and when made of pipe, shall be not less than one and one-fourth inches in diameter. The corner stakes shall have two braces and all of the stakes shall be supplied with rings or tees around which the rope shall be passed, and said rope shall stand not less than two nor more than four feet above the ground. The rope shall not be less than one inch in diameter and of good minally hemp.

Sec. 2640. Bridge Over Sidewalk.—Where excavations are made across sidewalks, a bridge shall be constructed over such excavation for the use of pedestrians, same to be of wood or

iron, not less than three feet in width, with guard rails on either side; but, when this bridge is constructed, the above portion or portions of the excavation shall be protected as above provided.

Sec. 2641. Red Lights—Fastened.—That the above provisions shall not excuse the parties causing or maintaining such excavations from placing and maintaining red lights along same as now provided by law, except that such red lights shall be securely fastened to the stakes erected under this ordinance and not set along the ground.

Sec. 2642. Penalty.—No Person, firm or corporation erecting or maintaining, either as principal or agent, any excavation without complying with the provisions of this ordinance, both as to stakes, rope and lanterns, shall on conviction in the Recorder's Court be punished by a fine not exceeding Two Hundred (\$200) Dollars, or imprisoned not exceeding thirty days, one or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2643. Streets Not to be Torn Up nor Disturbed—Permits Required.—No person, firm or corporation shall enter upon any street crossing or public way and excavate therein or interfere with the surface thereof without a permit therefor from the Chief of Construction, and it shall be the duty of this official to see that indiscriminate interference and tearing up of pavements, streets and sidewalks shall cease and no permit shall be issued therefor except in cases of absolute necessity.

Sec. 2644. City Employees must Have Permit to Tear up or Excavate Streets.—This provision shall apply to employees of the City as well as other persons.

Sec. 2645. Penalty for Violation.—Any person, firm or corporation, their agents or employees, or City employees violating the terms of this ordinance, shall, upon conviction in Recorder's Court, be punished by a fine not exceeding \$100.00 or imprisoned on the public works not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2646. Notice, Thirty Days, Before Street Paved—Afterwards Not Broken without Permit of Council.—It is hereby made the duty of the Chief of Construction to give thirty (30) days' notice to persons owning property on which pavement of streets, sidewalks, etc., have been ordered by the Mayor and General Council, requiring such owners to enter into the street and make all connections required for their property with pipes, conduits, or similar service furnished either by the City or public service corporations, before the time at which such pavement is begun and thereafter said pavement or public improvement shall not be disturbed for the purpose of laying pipes, conduits or connecting therewith except by permission of the Mayor and General Council. The Chief of Construction is likewise required to give similar notice to persons or corporations operating public utilities so that such persons or corporations may make such changes of their pipes or conduits as are allowed by the ordinance of the City, prior to the beginning of the pavement or other improvement, and, after such pavements or improvement is begun, and finished, same shall not be disturbed for any of these purposes except by permission of the Mayor and General Council.

Sec. 2647. Permits Refused, Appeal to Street Committee.—Should said Chief of Construction refuse to issue a permit to any applicant therefor, as herein required and said applicant shall be dissatisfied with the decision of said Chief of Construction, he shall have the right to appeal to the Committee on Streets of the General Council and shall be given a hearing, before said Committee, and the finding of the Committee on said hearing shall be final. If they decide in favor of the applicant, then a permit shall be issued as requested. If they find against applicant, no permit shall be issued.

Sec. 2648. Stairs or Any Private Obstructions on Streets, Prohibited.—No person, firm or corporation shall hereafter be permitted to build stands, or windows or stairways or obstructions for private or business purposes, on the streets and sidewalks of this City, where such obstructions are permanent in character.

Sec 2649. Council May Grant Permit for—How.—All appli-

cations for permits to build such obstructions on sidewalks or streets, for private or business purposes, shall be held out of order when introduced in any meeting of the General Council and shall so be declared by the chair and shall not be entertained nor referred to any Committee for consideration.

Sec. 2650. Penalty.—Any person, firm or corporation building any stand, window or obstruction of any kind, or making a stairway of the kind herein prohibited, on any street or sidewalk of this City, shall on conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars or imprisoned not exceeding thirty days upon the public works, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2651. Free Pavement Unlawful.—No street or public places shall hereafter be paved with chert and broken stone, or similar pavements, free of cost to the abutting property-owners and all resolutions or ordinances introduced providing for such free pavements shall be declared out of order.

Sec. 2652. Petitions for Broken Stone and Chert or Similar Pavement.—Any persons desiring streets paved with broken stone or chert, or similar pavements, shall petition therefor in the manner now required for pavements of streets upon the assessment plan, and all such petitions shall be prepared with the formality required for reassessment pavements and it shall have the signature of the owners of at least one-half of the real estate abutting on such streets, and shall otherwise conform to existing ordinances providing for such assessment pavement.

RULES OF THE ROAD.

Sec. 2653. Direction—Stopping—Passing.—It shall hereafter be unlawful for any person by himself or driver or agent to violate any one or more of the following rules of the road of the City of Atlanta.

Rule 1.—Keep to the right of the street.

Rule 2.—Keep to the right when permitting another vehicle to overtake you, which vehicle shall pass to the left of the vehicle or street car overtaken.

Rule 3.—In order that all vehicles on each side of the street shall be headed in the same direction, owners, drivers or agents of vehicles are required to turn, if necessary, when stopping at the sidewalk so that the sidewalk will be to the right of such driver when said stop is made.

Rule 4.—No vehicle shall stop or be left in front of the entrance to office buildings, theaters, hotels, department stores or other entrances to places of congestion for any time longer than is sufficient to deliver occupants or goods intended for such building and the driver in charge of such vehicle shall move up promptly to permit others to arrive for like purposes.

Rule 5.—When a car stops to take on or let off passengers, all vehicles going in the same direction shall check speed and keep checking so they can come to a standstill if same be necessary to keep from running over any person alighting from said car.

Rule 6.—Slow moving or standing vehicles must not only keep to the right but near the curb, so as to permit other vehicles to overtake and pass them. This rule shall not apply to slow-going vehicles, or resident streets, when overhanging shade trees prevent the passage of such vehicles near the curb.

Rule 7.—In overtaking a street car, pass it on the right. If there is not sufficient space to pass the car on the right, follow the car until there is space on the right.

Rule 8.—No street car shall stand so as to obstruct passage of vehicles in legal way longer than necessary to take on and let off passengers.

Sec. 2654. Vehicle Defined.—The word "vehicle" as herein used shall be construed to include bicycles and motor cycles, and all provisions of said ordinance shall apply thereto.

Sec. 2655. Penalty.—Any person violating this ordinance or causing the same to be done, shall, on conviction in the Recorder's Court, be punished by fine not exceeding Fifty (\$50.00) Dollars, or imprisoned on the public works not exceeding fifteen days, either penalty to be inflicted at the discretion of the Recorder.

MISCELLANEOUS PROVISIONS.

Sec. 2656. As to Sprinkling Streets Paved With Asphalt.—No one, whether abutting property-owners or others, shall be allowed to sprinkle water upon any street in the City of Atlanta, paved with asphalt, except as authorized by the Board of Health, provided this prohibition shall not apply to that portion of West Mitchell street between the Atlanta Terminal Station and Whitehall street.

Sec. 2657. Penalty for Violation.—Any one convicted of violating the above section shall be fined not more than ten and not less than one dollar for each offense, upon conviction in the Recorder's Court.

Sec. 2658. Encroachments Upon Sidewalks Prohibited—Use of Sidewalks in Building—Permission Necessary.—It shall be unlawful for any one to erect any permanent obstruction in, upon or below the streets or sidewalks of said City. No windows, steps or other such obstruction shall be put in any building so as to extend in or upon any sidewalk or street in said City or overhang the same. No step shall be constructed from a cellar up to the sidewalk, where the same extends out upon the sidewalk. Any party in building or repairing, or adding to a building in said City, desiring to build a bay-window over the sidewalk, or to erect steps from a cellar up to and upon the sidewalk, to be protected by iron bars or railing; or to excavate and use space under sidewalk, shall obtain permission from the Mayor and General Council. The petition asking for such privilege shall set out fully the plan of the building, the use intended therefor, and the reason for said obstruction desired.

Sec. 2659. Penalty for Violation.—Any person violating preceding section shall, upon conviction thereof before the Recorder's Court of said City, be fined in a sum not less than five dollars nor more than five hundred dollars, or be imprisoned not exceeding thirty (30) days. Said party shall also remove said obstruction instantler, and failing to do so, shall be liable to be punished as aforesaid for each day said obstruction is allowed to

stand. This ordinance shall not in any wise interfere with the right of the City to tear the same down, as now exists. (The above two sections also appear in Chapter on Building Inspector.)

Sec. 2660. Vehicles Not in Use Must Be Kept off Streets.—Penalty.—It shall be unlawful for any person to leave on the streets any vehicle not then in actual use, without written consent of both the Chiefs of Fire and Police Departments. Any person convicted of violating this section shall pay a fine of not less than one dollar, nor more than one hundred dollars, in the discretion of the Recorder's Court.

Sec. 2661. Bootblacks—Chief of Police to Station Them.—Penalty for Disobedience.—Every person, who desires to engage in the business of blacking, oiling, or shining boots and shoes on the streets of Atlanta, shall register his name with the Chief of Police in a book to be kept by him for said purpose. It shall be the duty of the Chief of Police to assign each person certain space on the streets, within which they shall work, exercising discretion when he shall change their places in order to give a fair and equal opportunity to each. Any person failing to register with the Chief, or failing to obey the orders of the Chief, given under the provisions of this ordinance, shall be fined not less than one nor more than ten dollars, or imprisoned not less than one nor more than ten days.

Sec. 2662. Registration Tax for Bootblacks.—Any person maintaining a place on any street or public alley, or on ground immediately contiguous to a street or public alley, for blacking or polishing footwear, shall pay a registration tax of five (\$5.00) dollars per annum on each chair or seat used for such purposes.

Sec. 2663. Location Still Under Supervision of Chief of Police—Not Applicable to Whom.—The location of boot or shoe blacking stands on the streets or public alleys, or near them, shall still be under the direction of the Chief of Police; provided nothing in this or preceding sections shall be construed as applicable to dealers in boots and shoes, who maintain facilities for polishing shoes for their customers without charge.

Sec. 2664. Roller Skates on Sidewalks—Prohibited.—No person shall use roller skates for the purpose of skating upon any of the streets or sidewalks of said City of Atlanta.

Sec. 2665. Penalty for Violation.—Any person violating preceding section shall be fined not more than twenty-five dollars, or imprisoned not more than thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 2666. Section of Markham Street to Be Vacated as a Street.—That portion of Markham street, conveyed to the Southern Railway Company, in exchange, shall be vacated as a street.

Sec. 2667. Building Material not to Occupy Both Sides of Any Street.—It shall be unlawful for any person or persons, firm or firms, corporation or corporations, to make excavations, or place building material on both sides of the same street on any block in the City at the same time, unless authority of the Mayor and General Council be obtained. Any person, firm or corporation, violating the terms of this section shall, on conviction, be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2668. Private Property Not to be Graded where Claim for Damages on Account of Street Grading.—No work shall be done by the City on private property abutting on street which has been graded by the City, unless the same is done in settlement of all claims for damages on account of said grading, except that the Chief of Construction may cut or arrange steps at the owner's request for ingress or egress into or from said property.

Sec. 2669. Any Work Done Must be in Settlement of Claims.—When work is done in settlement of any claim for damages, it must be done on the written request of the owner, which shall show what is to be done, and that it will be accepted, when done, in settlement of any claim for damages on account of grading of the street, upon which the property abuts.

Sec. 2670. Release from Claims to be Filed with Comptroller.—On the completion of the work, a release shall be drawn by the City Attorney, signed by the property-owner, for whom the work was done, which request for the work and release shall be filed in Comptroller's office.

Sec. 2671. Comptroller to Keep a Book Showing the Work Done.—The Comptroller shall keep a book, in which shall be entered, in alphabetical order, the names of all parties, for whom work is done, and the amount of work done, the place where it is done, and the amount of money paid.

Sec. 2672. The Settlement to be Entered by the Comptroller in a Book.—The Comptroller shall also enter in such book in like manner the names, date, and the amount paid by the City in all settlements made by the City on account of damages for grading streets and injuries to person or property.

Sec. 2673. Grade or Part of Marietta Street Fixed.—The present grade of that portion of Marietta Street, upon which the property of Dr. Abner W. Calhoun, between Forsyth and Spring streets, abuts, is hereby fixed as the permanent grade of that portion of said street.

Sec. 2674. Fifteenth Street Grade Fixed.—The grade of Fifteenth street from Peachtree street to West Peachtree street, is fixed, as shown by the red line on profile hereto attached.

Sec. 2675. Grade of Part of West Mitchell Street Fixed.—The permanent grade of West Mitchell street from Forsyth street to Madison street is established, as shown by blue line on profile hereto attached.

Sec. 2676. New Sand to be Used in Replacing Paving Materials—Penalty for Violation.—It shall be the duty of the Chief of Construction, whenever any Belgian blocks or other paving material laid in sand is taken up, to permit the laying of water pipes, sewer pipes, gas pipes, conduits, or other underground structures, or for the purpose of building, repairing or rebuilding street railway tracks, or for any other purpose, to use or to re-

quire the use of new sand. Any person or corporation violating the provisions of this section shall be fined not exceeding the sum of one hundred (\$100.00) dollars or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 2677. Citizens Opening Pavement Must Pay Wages of City Inspector.—Any person or corporation, who shall take up or open the pavement, or any portion thereof, of any street, shall pay the Inspector appointed by the City to inspect the repaving of the same the sum of three dollars per day for the time occupied in repaving said portion of the street pavement so removed or opened. The provisions of this ordinance not to apply to work done by the City employees, for which other parties pay.

Sec. 2677(a). Waverly Place Changed.—Waverly Place as now located be, and the same is, changed and altered so that the said Waverly Place will begin at a point on the East side of Central Avenue 174.8 feet North from the Northeast corner of said Central Avenue and Hunter street, and running thence North along the East side of Central Avenue 60 feet; thence East, in a straight line, 421.7 feet to a point on the West line of Washington street 230.9 feet North of the Northwest corner of Washington and Hunter streets; thence South 60 feet along the West side of Washington street; thence West parallel with the North line aforesaid 421.7 feet, to the beginning point, making said street 60 feet wide throughout its length from Central avenue to Washington street.

CHAPTER LXXXVI.

STREET IMPROVEMENT COLLECTOR.

Sec. 2678. Collector of Street Improvement Assessments—How Appointed—Removable by Whom.—The officer known as Street Improvement Collector shall be appointed or elected by the Finance Committee of the General Council, and shall be removable by said Committee at its pleasure.

Sec. 2679. Salary—Bond Required—Amount.—The Street Improvement Collector shall have an annual salary of \$1,200, payable in monthly installments, and shall give bond for the faithful performance of his duties, and for the faithful accounting for and paying over all moneys collected by him, in the sum of \$5,000, with surety to be approved by the Mayor.

Sec. 2680. Duties—Prescribed by Whom.—The duties of Street Improvement Collector shall be such as are prescribed by existing ordinances, and such as shall hereafter be made applicable to that office either by the General Council or Finance Committee.

Sec. 2681. Chief of Construction Makes out Paving Bills—Street Improvement Collector Collects Them.—The Chief of Construction shall make out all bills for curbing, sidewalks, street paving, sewer assessments, etc., which shall be numbered consecutively, and entered by him in books prepared for that purpose, which he shall turn over to the Comptroller and the bills to the Street Improvement Collector for collection, and he shall be receipted for by the Street Improvement Collector to the Comptroller.

Sec. 2682. To be Collected by Tax Collector—Daily Settlements and Reports.—The Street Improvement Collector shall receive credit for collections on above accounts, and the Tax Collector be charged with the same upon presentation of daily

receipts from the Tax Collector. The Street Improvement Collector shall make execution dockets against delinquents under this head, as set forth in cases of delinquents for general tax, and the Comptroller shall credit the Street Improvement Collector, and debit the Marshal for such *fi fas*.

Sec. 2683. Transfers of Paving Bills—Executions for Street Curbing Etc.—In order to carry into effect the Act of the General Assembly of Georgia, approved August 22nd, 1891, providing for the transfer of bills and executions for granite curbing and street paving, it is hereby made the duty of the City Tax Collector to transfer claims against the City of Atlanta against abutting property-owners and the street railroad companies for granite curbing furnished and set, and street paving done on the streets, on which such curbing and paving is done, in the form of bills or executions at the option of the contractors or other persons asking for such transfers, in either case to be made without recourse on the City of Atlanta.

Sec. 2684. Abutting Owner to Have Ten Days' Notice—Applies to Venable Contract—Cash Installment—How Much.—So soon as the granite curbing on any street has been furnished and set up under the order of the Mayor and General Council, it shall be the duty of the Chief of Construction to make out bills against all parties liable to pay for such curbing, and place them in the hands of the City Tax Collector for presentation and collection, and upon presentation of a bill thus made out, it shall be the duty of any property-owner desiring to have the privilege of paying for such curbing in installments, shall give the contractor written notice of this desire, and the written notice shall state the time required by such abutting owner, and to pay the one-fourth (1-4) cash installment on said curbing within thirty (30) days from the presentation of the bill as aforesaid; and on the failure of any property-owner to give the notice, and make the cash installment payment, as aforesaid, then, upon the completion of the laying of the sidewalk in front of the property, where said curbing has been furnished, execution shall issue for the whole amount due for such curbing and sidewalk, and be collected without reference to the installment feature of the con-

tract aforesaid, such failure to give written notice operating as a waiver of the right of such property owner to pay for such curbing in installments.

Sec. 2685. Shall Keep Complete Record—Its Contents.—The Street Improvement Collector shall keep a complete record of all bills for permanent improvements delivered to him for collection, which shall show the names of the parties liable, etc., amount of each bill, for what work the bill is due, the location of the property, and the disposition made of the bill, whether by collection, transfer and to whom, or the issue of the execution; and when such bill or executions are paid, this fact must be noted on said record in the office of the Street Improvement Collector, which shall be open at all times to the inspection of the public. And the daily reports of the Street Improvement Collector to the City Comptroller shall contain a full minute of bills for permanent improvements received by the Collector, the amounts collected thereon, the bills transferred by him and to whom, the bills handed to the City Clerk for the issue of executions, and the number of bills and executions reported to him as having been collected and by whom and the amounts thereof.

Sec. 2686. Books in Comptroller's Office Show Like Record—Check.—The books in the office of the City Comptroller shall show a like record of all bills and executions for permanent improvements, so as to furnish a complete check upon the records of the Chief of Construction, Collector, City Clerk and Marshal, with reference to all such bills and executions.

Sec. 2687. Transferees—How They Collect Bills Transferred to them.—Whenever the contractors, or other transferees, after taking the transfer of any bill for paving and curbing, or paving or curbing, shall find it to be necessary to have execution issued for the whole or any part of the amount of such bill, they may return such bill to the Street Improvement Collector, and have such return entered upon the record of bills kept by that officer, whose duty it shall be to deliver said bill to the Clerk of Council, who shall issue execution in favor of the City against the party owning such bill for the amount due thereon, which execution shall be transferred by the Tax Collector, and levied

and collected by the Marshall for the use of such contractors or other transferees as if issued and transferred in the first instance.

Sec. 2688. Interest on Bills for Street Improvements—Rate—How Collected.—All bills for public improvements in the City of Atlanta against abutting property-owners and street railroad companies, whether for street paving, curbing, sidewalks or sewer assessments, shall bear interest at the rate of seven per cent, per annum from the date, when execution is, or by law ought to be, issued for any such assessment, such interest to be collected with the principal of each execution from the defendant in *fi fa*, or from the property subject to the lien of such assessment.

Sec. 2689. Postponement of Collections not Allowed by Officers—Permission in Certain Cases—By Whom—Limitation of Permission.—Neither the Tax Collector, Street Improvement Collector, nor the Marshal, shall have authority to postpone the collection of any bill or execution for public improvements due the City of Atlanta for more than thirty days after it is placed in the hands of such officer for collection, without the permission of the Finance Committee to make a longer extension of time for special reasons in any case; nor shall the Finance Committee postpone a collection in any case for more than three months from the date of the issue of the execution, without express action of the Mayor and General Council authorizing them.

Sec. 2690. Street Improvement Collector Must Report Monthly to Finance Committee—Contents of Report.—It shall be the duty of the Street Improvement Collector and the Marshal to report on the first day of each month to the Finance Committee all uncollected bills and *fi fas*, due the City of Atlanta for public improvements, licenses or taxes in their hands, and to state the reasons why such bills or executions have not been collected, these reports to show the names of the parties owing such bills or executions, and also the amount and character of the demand in each case.

Sec. 2691. Penalty for Violation by Any Officer of Above Ordinances.—Any officer convicted of violating either of the

foregoing sections of this ordinance shall be subject to a fine not exceeding one hundred dollars in the Recorder's Court, and upon such conviction the Mayor shall suspend the officer so convicted until the next regular meeting of the General Council, when such officer may be removed from office in the discretion of the General Council.

Sec. 2692. Manner of Collecting Bills—Custody of Bills—Reports to Whom—General Duties Prescribed for Collecting Officers.—The manner of making collections for permanent street improvements, sidewalk and curbing bills, sewer assessments, removing and replacing pavement, repairs to sidewalks, and all other bills for work done for property-owners on the streets, alleys, and sewers of Atlanta, whenever such work is done by the City, and collected from property-owners by the City, shall be as follows: Bills for work done, as above specified, shall be made out by the Chief of Construction, such bills to be made out on receipts with two stubs or coupons attached, and turned over by said officers to the Collector of Street Improvements, taking his receipt therefor. The Collector of Street Improvements shall keep all such bills in his custody, until they are called for to be paid, when he shall retain one stub to make up his accounts, and send the receipt and other stub or coupon to the City Tax Collector, who shall receive the money and give the receipt to the person paying the bill, and file the coupon to make up his accounts. On the same day the Collector of Street Improvements shall report to the Comptroller all coupons so turned over to the City Tax Collector, giving numbers, names, and amounts, and the City Tax Collector shall on the same day report to the Comptroller the amounts so collected by him, accompanied with the coupons, which had been turned over to him by the Collector of Street Improvements, with the receipt of the City Treasurer attached thereto. The Collector of Street Improvements and the City Tax Collector to make daily and monthly reports to the Comptroller.

Sec. 2693. Street Improvement Collector Keeps Record—Shows Streets, on Which Curbing or Sewers Have Been Ordered Laid—Record Indexed.—From and after the passage of this ordinance the Street Improvement Collector shall procure and keep

on file a record showing all the streets and portions of streets, on which curbing has been ordered to be laid by the General Council, and shall also procure suitable indexes to said records, and shall keep these records in his office for the inspection of the public.

Sec. 2694. Above in No Wise Interferes with Existing Ordinances.—The provisions of preceding sections shall in no wise interfere with the existing ordinances providing for a lien in favor of the City on the passage of a resolution for the laying of curbing on streets or portions thereof, or for the laying of sewers in streets or portions thereof, but is only intended for the convenience of the public who may desire to inspect said index for such information as it may furnish.

CHAPTER LXXXVII.

STREET RAILROAD COMPANIES.

Sec. 2695. Conform to Existing Grades—Submit Plans of Proposed Railway Lines to Street Committee.—It shall be the duty of street railroad companies to conform to the surveys, regulations, and grades as they are now, or may hereafter be, established by law or an ordinance of the City of Atlanta. They shall submit all proposed plans, courses, styles of rails, and the manner of laying the same, to the Street Committee, for their approval and sanction, which shall be obtained before they proceed to break ground or occupy any of the highways aforesaid.

Sec. 2696. Maintain Streets, Upon which Tracks Are Laid—Clear Away Rubbish and Obstructions—Penalty for Failure.—The said railroad companies shall be at the entire cost and expense of the maintaining and repairing, that may be necessary upon any road, street, avenue or alley, occupied by them, for the width required. It shall also be the duty of the Company to clear the streets or other public highways, that they may occupy, of any obstructions placed upon them by said Company, when the same impedes the trade upon such highway; and for any neglect on their part to do so for a period of three days, they shall be punishable by a fine of twenty dollars for each offense, upon complaint of five citizens on oath or affirmation.

Sec. 2697. Charges for Fare on Road—(This section had reference to old lines of the Atlanta Street R. R. Company.) The charges for passage on said roads shall not exceed twenty cents for any through line, and ten cents for half lines or short distances.

Sec. 2698. Numbers Required on Cars—Penalty for Failure.—It shall be incumbent on all street car companies before placing cars on their road to have the number painted on some con-

spicuous place on each car, and any omission or neglect to comply with this provision shall be punishable by a fine of ten dollars.

Sec. 2699. Street Car Bells Not Used near Churches During Worship on Sabbath—Penalty.—It shall be unlawful for any agent, officer, or employee of a street car company to use bells on any animals, or street cars, within fifty yards of any church on the Sabbath day during divine worship, and any person so offending, on conviction thereof in the Recorder's Court, shall pay a fine not to exceed one hundred dollars, or be imprisoned not to exceed thirty days, either or both, in the discretion of the Court.

Sec. 2700. Speed of Street Cars—Limit—Variations of Speed at Certain Places.—The running speed of street railroads in the City of Atlanta shall not be at a greater rate than ten miles per hour within a radius of one quarter of a mile from the Northeast corner of the Union Passenger Depot, and not greater than fifteen miles per hour beyond said radius, and never to be greater than six miles per hour at crossings within said radius of one-quarter of a mile of said Union Passenger Depot, and the speed at crossings outside of said radius shall not exceed ten miles per hour; provided the right to lower these rates of speed, if deemed wise hereafter, is reserved by the Mayor and General Council.

Sec. 2701. Macadamizing Streets—Amount to Be Done by Street Railroad Companies—Location of Tracks—Under Whose Supervision.—Said companies shall be required to macadamize or pave the width of the track, and for three feet on each side of every line of track in cases of necessity, to be judged of by the Committee on Streets; they shall be governed in locating the tracks by the Street Committee; nor shall they locate any track without the consent of said Committee, or a majority thereof.

Sec. 2702. Rules for Company.—(This section had reference to the old horse-car lines.) The Mayor and General Council of the City of Atlanta hereby reserve to themselves the right, in conjunction with the President and Directors of said companies,

to make all needful rules and regulations for the government of said Companies.

Sec. 2703. Grades Furnished on Application—Company May Occupy Surface, Intermediate, or Permanent Grade.—When any street railroad company shall apply for permanent grades of any street, on which it is proposed to construct a street railroad, it shall be furnished with both the surface and permanent grade, and said Company or Companies may occupy either the surface, intermediate, or permanent grade.

Sec. 2704. Duty of Companies as to Streets Adjacent to One Occupied.—When the said Company or Companies shall occupy the surface, intermediate, or permanent grades, the said Company or Companies shall, at their own cost and expense, place the said street and sidewalks, and all adjacent cross streets, lanes and alleys, in as good condition as they were before they were so occupied, and be held liable for any damage accruing to property-holders.

Sec. 2705. Passengers Refusing to Pay Fare—Penalty.—Any person, who shall enter any of the cars of any street railroad company for the purpose of riding therein, and who shall fail or refuse, on request, to pay the usual and proper fare or charge for the same, with intent to defraud the said street railroad company, shall, on conviction, be subject to a fine not to exceed ten dollars and costs, or imprisonment for ten days, one or both, in the discretion of the Recorder's Court.

Sec. 2706. Obstructing Platform—Penalty.—Any person not being a regular passenger on such car or cars, who shall obstruct or occupy the platform of such car or cars, either by standing upon, leaning against, or swinging to the same, shall, on conviction, be subject to the same penalty prescribed in the section next preceding.

Sec. 2707. Interference with Track—Willful Obstruction of Same—Leaving Vehicles on Track—All Unlawful—Penalty.—It shall not be lawful for any person willfully to place any obstruction on the track or roadbed of any line of any street rail-

road company located or running in or through the said City of Atlanta, or unnecessarily to interfere with or obstruct the free passage of any car, or to endanger the safety of any car, or any person in any car, running in or through the City of Atlanta, by willfully allowing their vehicles to remain on or about the track of said railroad company, or by any other careless, negligent, or willful means whatever. A violation of this section shall subject the offender, on conviction, to a fine not exceeding ten dollars, or imprisonment not longer than ten days, in the Recorder's Court.

Sec. 2708. To Prevent Passage of Grants or Franchises at Same Meeting, at Which Introduced.—All applications by any person, firm or corporation, for authority and consent to use the streets, alleys, and public places of the City for the purpose of constructing and electrically equipping a line or lines of street railway or telephone poles and ducts or telegraph poles and ducts, or lighting poles and ducts, or heating ducts and connections, or any other franchises requiring the consent of the City for the use of the streets, alleys, and public places of the City, or for any of the privileges and grants usually included in such franchises, shall not be considered or passed or granted in any way or to any extent at the same meeting of the General Council, at which same were introduced, but shall be referred to some Committee and considered, if desired, not before the next regular meeting following the introduction of such application.

In no event shall such applications be read the second time and passed at such first meetings, and motions of that character shall be out of order.

Sec. 2709. Clerk Prepares Copies of Application—Submit to Each Member of General Council Within Five Days.—Following the meeting of the General Council, at which such applications are introduced, the Clerk of Council shall prepare typewritten copies of such applications, and furnish one of such copies to each member of the General Council within five days after the date of introduction.

Sec. 2710. Reservation of Right to Grant Franchises to Other Companies—New Company to Pro Rate Expenses—(See later

Ordinance, Section Following.)—The Mayor and General Council of the City of Atlanta in granting franchise to street railroads and street car companies of whatever motive power, reserves the right to grant a franchise to another company or companies, when, in their judgment, the public interest and welfare is subserved thereby, over any part of any street or streets, not to exceed three blocks, or 1200 feet, upon the petitioning party or company paying a pro-rata part of the original cost of construction, and a pro-rata part of keeping up in good repair of that part of the road-bed used by them jointly.

Sec. 2711. Reservation of Right to Condemn Five Blocks.—(See above ordinance, saying three).—The City of Atlanta reserves the right to subject any part of the lines and tracks of all street railway companies, not exceeding five blocks at any one point, on such line or lines, to use by other companies upon payment of just compensation, to be judged of and fixed by the Mayor and General Council, either upon the basis of a certain sum in full for such use, or of annual payments therefor, except in so far as this ordinance may conflict with prior and subsisting grants to any company or companies.

Sec. 2712. Above Reservation Applicable to all Companies Asking Additional Privileges.—Any street railroad company or street car company, of whatever motive power, having the franchise granted prior to the passage of this ordinance, and petitioning the General Council for additional privileges or amendments as regards power, or additional streets, or any other material change, agree to the provisions of the foregoing section, otherwise any material addition or amendment shall be denied to any such street railroad or street car company.

Sec. 2713. Penalty for Laying Tracks Without Authority.—Any street railroad company, its servants or agents, who, without authority from the Mayor and General Council, shall lay any tracks on any street or portion of a street, or shall displace any permanent improvement for making repairs, without written authority from the Chief of Construction, shall, upon conviction thereof, be fined not more than five hundred dollars for each offense, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder's Court.

Sec. 2714. Extends to All Companies—Existing or to Exist.—This ordinance is construed and hereby made a part of the agreement on the part of the City of Atlanta, against any individual company or corporation, who may petition to extend railroad lines, or for any material privileges or changes, or to construct new lines through any street or part of streets in said City.

Sec. 2715. Cost of Privilege of Crossing Broad Street Bridge—Shall Help Keep it in Repair.—Every street railroad Company crossing Broad street bridge with its tracks or cars, shall be required to pay into the City Treasury the sum of five thousand dollars for the privilege of crossing said bridge, and shall thereafter be required to pay such proportion of the expense of keeping said bridge in good repair as may be just and proper in the judgment of the Mayor and General Council in office at the time when such repairs are made.

Sec. 2716. Street and Other Railroads—Taxed—On What—How Much.—On every hundred dollars in value of all property, both real and personal, including easements and franchises, and on all moneys, bonds, stocks, and solvent debts of any street or other railroad company in the City of Atlanta, held or owned by such Company on the 31st day of January, 1907, and 1908 respectively, there shall be levied a tax of one dollar and twenty-five cents per annum.

Sec. 2717. Not to Exceed Four Miles an Hour at Crossings, Etc.—And to Stop at Such Places.—(Later ordinance, however, in a preceding section in this Chapter.)—It shall be unlawful for any street car, electric, horse-power, or otherwise, to run over any street crossing, or at an intersecting street, at a greater speed than four miles an hour, and without giving warning by repeatedly ringing a bell or gong; provided, this ordinance shall not be so construed as to permit the violation of the ordinance approved September 5, 1887, prohibiting the use of bells on animals or street cars within fifty yards of any church on the Sabbath Day during divine worship.

Sec. 2718. Line Having Heavy Grade Has Right of Way, But Must Stop.—When two roads or tracks cross each other, it

shall be the duty of the persons in charge of the motive power of the cars to come to a stand, to see that the crossing is clear. In cases of heavy grades the line having the heavy grade shall have the right of way.

Sec. 2719. Cars Go To Right on Forsyth Street Bridge.—It shall be unlawful for any street railway company to run electric cars across Forsyth street bridge, except by entering and passing across on the right side of the bridge, looking from the direction from which the car is approaching the bridge; or to cause a car to pass partly over the bridge, and return on the same track to the point of entrance.

Sec. 2720. Penalty for Violation of Above Section.—Any street railway company convicted of a violation of above section shall be punished by a fine of not less than ten nor more than one hundred dollars, in the discretion of the Court.

Sec. 2721. Limit of Charge for Fare by Street Railways.—It shall be unlawful for any company operating electric or other railways in or upon the streets of Atlanta, by itself or its agents, directly or indirectly, to charge or collect more than five cents for the transportation of any person from any point on said line or lines to any other point on any line or lines owned or operated by said Company, whether the same be for a continuous passage on a through line or by transfer to any other line or lines owned and operated by said company.

Sec. 2722. Transfers Shall Be Issued upon Payment of Fare—No Additional Charge.—Upon the payment of one full fare, as above provided, it shall be the duty of said railway company to transport such passenger to his destination, upon any line or lines of said company, and to furnish a transfer ticket, without additional charge, whenever it is necessary for such passenger to change to the car of any other line or lines operated by said company, in order to reach his said destination.

Sec. 2723. Penalty for Violation of Above Transfer Ordinance—Proviso.—Any violation of the above sections, or any

refusal to furnish a transfer ticket, as above provided for, by any officer or agent of any street railway company in said city, shall be punished by a fine of not less than ten (\$10.00) dollars, nor more than one hundred (\$100.00) dollars, or imprisonment not less than thirty days, in the discretion of the Recorder; provided, that nothing herein contained shall apply to any transfer beyond the corporate limits of the City on any outgoing car.

Sec. 2724. Street Railroads—Duty of—Must Repair Track—City May Do So at Their Expense—Clerk to Issue Fi Fas.—The Street Inspector, or person appointed by the Chief of Construction, is directed to notify the several street railroad companies now, or hereafter, doing business in the City of Atlanta, what parts of the sidewalks or streets of the City crossed or used by such street railroad companies are out of repair on account of the tracks or running of the cars of such street railroad companies, or from the manner, in which said street railroad is built and operated on the public sidewalks and streets of the City of Atlanta, and such street railroad company failing, on five days' notice, to keep and put such sidewalks and streets so crossed or used by such street railroad company, in good, smooth, passable condition, it shall be the duty of the Chief of Construction to prevent such street railroad company from crossing or using street or sidewalk so out of repair, and not in good, smooth, passable condition, on account of such street railroad company, until same can be properly repaired, and placed in good condition for pedestrians or vehicles, which shall be done by the Chief of Construction, and the cost of such work shall be estimated by the Chief of Construction and returned to the Clerk of Council, who shall issue execution therefor against such street railroad company, and place the same in the hands of the Marshal, who shall collect and levy the same on any property of the street railroad company as usual in such cases for sales under City tax fi fas.

Sec. 2725. Street Railways Using Electricity Shall Erect Guard Wires.—Street railway companies using electricity as a motive power with an overhead system of wires shall erect and keep in good repair a guard wire (of not less than No. 6 gauge)

tightly strung two feet above the wire or wires used to convey the current to the car motor.

Sec. 2726. Shall Set Poles for Stringing Wires—Re-set, when Required.—It shall be the duty of any street railway company, electric light company, or telephone or telegraph company, now existing or hereafter authorized to set poles for the stringing of wires thereon, upon notice from the Mayor and General Council or Chief of Construction or the City Electrician to that effect, to remove or re-set any poles belonging to any such company, its successors or assigns, when such removal or re-setting of poles is necessary in the judgment of the Mayor and General Council, the Chief of Construction, or City Electrician, to facilitate the improvement of any street or portion of street by changing the grade thereof or otherwise, or to allow the improvement, or promote the convenience of any lot on such street, the expense of the removal to be borne by the company using the poles.

Sec. 2727. Flat Wheels Prohibited from Use—Penalty for Doing So—Proviso.—It shall be unlawful to run or use on the streets of Atlanta any street car or cars with what is known as "flat" wheels, and any superintendent or person acting as superintendent of motive power for the company using such "flat" wheels, who shall direct or permit any car or cars with such "flat" wheel shall, on conviction thereof, be fined the sum of ten dollars, or be imprisoned not exceeding five days, in the discretion of the Court; provided that there shall be no conviction for a violation of the provisions of this section until the motorman operating such car, or the Superintendent, or General Manager of such railway company, shall have two (2) hours notice of the condition of such defective wheel, such notice to be given by any police officer of the City, and the use of a car with such "flat" wheel is persisted in or continued after the expiration of the two (2) hours notice given.

Sec. 2728. All Poles to be Stamped with Name of Company.—All companies or corporations having poles erected on the streets or sidewalks shall be required to have the name of said company or corporation stamped or printed on each pole.

Sec. 2729. Shall Not Permit Weeds or Grass Between Tracks.—It shall be unlawful for any street railway company operating a line or lines of street railway in the City of Atlanta, to permit weeds or grass to grow between its tracks, or within one foot of the rails on either side thereof, within the incorporate limits of the City of Atlanta.

Sec. 2730. Penalty for Violation.—For a violation of the above section the Superintendent of the street railway company so offending shall be liable to fine and imprisonment by the Recorder of the City of Atlanta, and upon conviction shall, for each offense, be fined not less than five nor more than one hundred dollars, or be imprisoned in the stockade not less than one nor more than thirty days, either or both in the discretion of the Recorder.

Sec. 2731. Passengers with Offensive Odors upon Them Must Not Board Street cars.—It shall be unlawful for anyone, who has on or about his or her person any disgusting or offensive smell or odor by reason of working in or about guano factories, to board or attempt to board any street car in the City of Atlanta for the purpose of becoming a passenger thereon, or for any purpose whatsoever, or to ride upon any street car in the City of Atlanta.

Sec. 2732. When Such Are Ordered Off, Shall Not Remain on the Car.—It shall be unlawful for any such person or persons to remain on said car, when requested to quit said car by the conductor thereof.

Sec. 2733. Penalty for Violation of Above.—If any person shall violate either Sections 2731 or 2732 he shall, upon conviction before the Recorder, be fined in a sum not greater than \$100 or be sent to the City Stockade for a period not longer than thirty days, either or both, in the discretion of the Recorder.

Sec. 2734. Setting Posts for Fences—Not included in Restrictions of Ordinances as to Setting Poles.—Persons, who are setting posts at the edge of sidewalks for the purpose of bulding fences, will not be required to apply to the Chief of Construction

for a permit to do so, but may remove the brick necessary to set said posts, and replace same after being set. The work of replacing to be done in a proper and workmanlike manner, and if not so done, then the Chief of Construction shall have it done at the expense of the property-owner.

Sec. 2735. In Case of Frightened Horses—Motormen Slackens Speed.—When an engineer, or party in charge of the motive power of any car, shall see that his car is the cause of frightening horses attached to vehicles, it shall be his duty to slacken his speed, and cease the cause of fright as much as possible, and give the party driving the horses an opportunity of getting off the street at the first crossing. In case of damage to life or property, that party in charge of the motive power of the car is to be held responsible, for it is clearly his duty to keep a close watch-out as to what is going on in front of his car.

Sec. 2736. Provision for Safe Meeting of Cars on Parallel Tracks, Where One Car is Receiving or Discharging Passengers.—All persons operating street cars in this City, upon a street where there are parallel tracks, shall, when approaching a car, which has stopped at a crossing for the purpose of discharging or embarking passengers, check and keep checking the speed of their car until same is under control, and shall simultaneously give warning by sounding the gong, of its approach, which checking of speed and warning shall continue until the stationary car is passed.

Sec. 2737. Penalty for Violation.—A violation of foregoing section by any person shall subject the offender to a fine of not exceeding \$25.00 or imprisonment of not exceeding thirty days, at the discretion of the Recorder.

Sec. 2738. Penalty for Failure to Slacken Speed, when Horses Are Frightened.—Any engineer or person in charge of the motive power of any car violating any of the provisions of the above ordinance, shall, upon conviction before the Recorder's Court pay a fine of not less than ten dollars and cost, or be imprisoned not less than ten days upon the public works; and any

manager or agent in charge of any line of street railroad in this City, who shall give or cause to be enforced orders in conflict with the provisions of this section, shall, upon conviction before the Recorder, pay a fine of not less than twenty-five dollars, or serve not less than twenty-five days upon the public works.

Sec. 2739. To Pay for Eleven Feet of Paved Streets Before Franchise Is Granted—Condition—Disposition of Such Fund.—In all cases where a street railroad company shall desire to place tracks on any street, which has already been paved, such street railroad company shall first pay into the City the cost of paving such street, the width of eleven feet thereof being the space between the track, and for three feet on each side thereof, and said City shall pay of said amount so paid into abutting property-owners, the pro rata, to which they are entitled.

Sec. 2740. In Case of Asphalt Pavement—Duty of Street Railroads.—Whenever an ordinance shall be passed by the Mayor and General Council providing for the pavement of a street or portion of a street with asphalt pavement, and a street railway company has tracks thereon, it shall be the duty of such railway company, and they are hereby required, prior to the laying of said pavement, to construct such foundation for their tracks as will prevent the vibration of the rails. The foundation thereof is hereby defined and established as follows, to wit: the preparation, construction, and laying of concrete under and between the ties and up to the sub-grade for street pavement; all to be thoroughly rammed in position, and left in this condition a sufficient length of time to become fixed and firm before cars are run over same.

Sec. 2741. Alternate Foundation—How and of What Constructed.—If desired by such street railway company, the foundation provided for in the above section may be substituted as follows, to-wit: the laying or re-laying of tracks on a concrete stringer, not less than eighteen inches in width at the base of the rail, and sixteen inches in width at the bottom of the trench, same to have a depth of not less than nine inches below the base of the rail. Said concrete stringers to be made by excavating a trench along the track between the ties, so that, when the con-

crete is rammed in position, the rail, when properly aligned, shall be in the center of the stringer. After the rails are in proper position, the trench shall be filled with concrete, under and around the rail, and brought to the proper height required by the sub-grade of the proposed pavement.

Sec. 2742. Concrete for Foundation—Material—How Mixed.—All concrete mentioned in the two foregoing sections shall be made from the best brands of Portland cement, and mixed in such proportion as to make first class work, acceptable to the Chief of Construction.

Sec. 2743. As to Paving of Eleven Feet.—Section 2739 of this Code shall be the basis and rule of contribution to be required of street railroad or street railway companies on account of the paving of streets paved before the occupancy of such streets by any street railroad or street railway company; provided, nevertheless, that it shall be competent for the Mayor and General Council, in particular cases, on account of the worn condition of the pavement on any such paved street, to require contribution of a smaller amount than the full cost of eleven (11) feet, as required by Section 2739 of such Code as aforesaid.

Sec. 2744. Double Track Does not Make Railway Company Doubly Liable—Must be Laid, However, In Proper Condition.—A second track shall not make any street railway company laying it liable for belgian blocks or other improvements already made, but the blocks or other improvements shall be replaced after said second track is laid in condition acceptable to the Chief of Construction.

Sec. 2745. Rebate on Street Paving—Disposition of Fund—To Whom.—In any case where a street railroad company pays into the City Treasury any money as a rebate on account of street paving done before the laying of railroad tracks on a particular street, that part of such money going to abutting owners shall be distributed pro rata according to frontage amongst the owners of the property abutting on the portion of the street occupied by the railroad tracks.

Sec. 2746. Shall Provide Fenders or Other Device to Protect Life.—All electric railroad companies operating a line or lines in the City of Atlanta shall provide fenders, or some life-saving device in front of the truck or wheels of each car, and such fenders or device shall be of the best and most improved design, to the end that injuries to persons shall be prevented and human life preserved.

Sec. 2747. Penalty for Operating without Fenders.—Any person, whether President, Vice-President, superintendent, manager, conductor, motorman, or other officer or employee of any such railroad company, who shall, after said date, operate in said City, or cause to be operated, any electric car, which is not equipped with fenders or life-saving device, as hereinabove provided, shall, for each offense, upon conviction thereof, be punished by fine not exceeding one hundred (\$100.00) dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the Recorder's Court; provided, that nothing herein contained shall be construed to prevent a car that has been disabled out on a line from being operated through any of the streets of Atlanta on its way to the shops of any company for necessary repairs; or on extraordinary occasions, when the Mayor, with the Electric and Other Railroad Committee, in their judgment, may grant permission to operate fenderless cars; the company assuming all responsibility.

Sec. 2748. Transfers not Transferable.—No transfer ticket or written instrument giving or purporting to give the right of transfer to any person or persons from a street railroad car, operated upon the same or another line, or route, of said street railroad, in said City, shall be issued, sold, or given away, except to a passenger lawfully entitled thereto, and by or from a duly authorized agent of the said street railroad company.

Sec. 2749. Penalty for Selling or Giving Away Transfers to Be Used by Other Persons—Applies Alike to Transferer and Transferree.—Any person, other than a duly authorized agent of the aforesaid street railroad company, who shall, in said City, issue, sell, exchange, or give away such a transfer ticket with

intent to have the same used for passage, and any person or persons not lawfully entitled thereto, who shall offer for passage such a transfer ticket, shall be guilty of an offense for each and every act, and on conviction thereof shall be punished by imprisonment not to exceed thirty days, or fined not exceeding one hundred dollars, either or both, in the discretion of the Recorder's Court for each and every such offense.

Sec. 2750. The Construction and Regulation of Street Railways—All New Lines, including Extension of Any Existing Line, Come under Provisions.—All street railways and lines, and parts of lines hereafter constructed, and put into operation within the limits of the City of Atlanta, as now or hereafter defined, shall be constructed and operated under the provisions of this chapter, and amendments thereto, which may be hereafter made concerning the regulation of the operation of street railways, and all existing street railway companies, having lines already constructed, and in operation in the limits of the City of Atlanta, which shall apply for and accept privileges to construct a new line or lines, to extend an existing line or lines, or to connect or otherwise change existing lines, shall thereupon become and thereafter be subject to said provisions of and amendments thereto, which may be hereafter made touching regulations as aforesaid.

Sec. 2751. Part of Future Contracts in Granting Franchises.—These provisions shall enter into and form part of the contract granting power and authority by the City of Atlanta to any street railway company, or to any person, firm or association to construct and operate a line, or an extension, or addition to any existing line or system of street railways in the City of Atlanta, subject, however, to the right of the City to amend said ordinance, as to matters of regulation as aforesaid.

Sec. 2752. Street Railway Company Pays for Eleven Feet of Paving.—In all cases, where ordinances or resolutions shall be passed and approved, authorizing and directing the macadamizing or paving of streets or portions of streets occupied in whole or in part by street railway tracks, the Chief of Con-

struction shall, upon the direction of the Street Committee of the General Council of the City of Atlanta, require the street railway company or companies, owning or using tracks therein, to pave or macadamize, or pay for the paving or macadamizing of the space between the tracks, and for three feet on each side thereof, that is to say eleven feet in width. The paving, if done by the street railway company, to proceed and be executed at the same time that the paving or macadamizing of the balance of the roadway of the streets is done by the City of Atlanta, and the contribution required of the street railway company, if the work is all done by the City of Atlanta, to be in the proportion that eleven feet bears to the whole roadway of the street.

Sec. 2753. If Street Railway Fails to Pave or Macadamize—City Does the Work—Collects for It—How.—Be it further ordained by the authority aforesaid, that in case of the failure of any street railway company to proceed with the work of paving or macadamizing the portion of the street occupied by its tracks, as heretofore defined, at the time that the work of paving or macadamizing by the City of Atlanta is commenced, and continuously with the progress of said work by the City of Atlanta, it shall be the duty of the Chief of Construction to pave or macadamize such space with the same material as the balance of the roadway of the street, and to keep an account of the cost thereof on the basis of contribution prescribed in the first section of this ordinance, and present a bill to the street railway company liable for such paving or macadamizing, and, if such bill is not paid within ten days after presentation, it shall be the duty of the Clerk of Council to issue an execution against such street railway company, and its property, for said amount, which shall be levied and collected by the Marshal of the City of Atlanta as in case of tax executions; provided that such street railway company shall be given thirty days notice in writing of the requirement to pave or macadamize each street or portion of street occupied by its tracks, and of the time and place, at which the work of paving or macadamizing will be commenced by the Chief of Construction, and of the class of material to be used on such street before such work is entered upon.

Sec. 2754. The General Ordinance as to Construction of

Street Railways Etc. Not to Affect Existing Laws as to Paving.—The duty and obligation of street railway companies to pay for paving, repairing and keeping in repair the proportion of the roadway of streets and alleys occupied by their tracks required by the City charter, to pay ad valorem taxes on their properties, and to pay occupation taxes on their business, are in no way to be impaired by the operation of this ordinance.

Sec. 2755. City May Order Change of Location of Tracks, Poles, or Wires in Any Street—Expense Borne by Whom.—The City of Atlanta reserves the right to regulate the location of the street railway tracks, wires, poles, and conduits, and their construction, and to require the change of such location, when in the judgment of the Mayor and General Council such change is required by the public interest; the expense of such change to be borne by the railway company or companies; provided, when a change of location is ordered to allow another company to lay a track on the same street, the expense of removal shall fall on the company, for whose benefit the change is made.

Sec. 2756. Conditions, under which a Percentage of Gross Receipts of Street Railway Companies Must be Paid the City of Atlanta.—It shall not be lawful hereafter for power and authority to be granted to any person, firm or corporation, or association of persons to construct and operate a street railway system, or line or extension of, or addition to an existing system, or line of street railway in the City of Atlanta, except upon condition, requiring the payment to the City of Atlanta by such person, firm, corporation, or association of persons of a percentage, to be fixed by the Mayor and General Council, of not exceeding five per centum per annum of the gross receipts of the street railway business conducted by such person, firm, corporation, or association of persons from fares for carrying passengers, as partial compensation for the use of the streets occupied and used by the tracks, poles, wires, cars, and appliances of such street railways; provided that no such percentage from gross receipts will be required to be paid by any company until the expiration of the grants made to or for the use of the Atlanta Consolidated Street Railway Company, approved May 20th, 1891, unless the company obtaining such grant, its successors

or assigns, should consolidate, unite, or by any manner of means, direct or indirect, have the same or reciprocal management, or an understanding of any sort, as to the operation of such line in connection with any other existing line, in which event said five per cent. shall become at once a charge on said road, and the existing road entering into such combination or arrangement shall also be liable to pay such five per cent.; provided, a reciprocal use of transfer tickets by two or more lines, if assented to by the Mayor and General Council, shall not subject the companies to the payment of tax on gross receipts before the expiration of the grants of May 20th, 1891.

Sec. 2757. Street Railways Must Contribute to the Construction and Maintenance of Bridges Crossed by their Tracks.—The City of Atlanta reserves the right to require a reasonable contribution, to be judged of by the Mayor and General Council, from any and all street railways toward the cost of building, rebuilding, and keeping in repair bridges crossed by their tracks, whether such bridge be erected before or after the occupation of the street, in which the bridge is situated, by the tracks.

Sec. 2758. Maximum Fares—Hours Collected.—No person, firm, corporation, or association, hereafter obtaining authority or consent to construct or operate a line or system of street railways in the limits of the City of Atlanta, as now or hereafter defined, shall be permitted to collect for fares for single passengers from one point of the line or system of such company to any other point on the line or system of such company in the City limits as aforesaid more than for one continuous trip from 5 a. m. to 12 p. m. five cents, nor more than for one continuous trip from 12 p. m. to 5 a. m. ten cents.

Sec. 2759. Street Railways in City Cannot Haul Freight.—No street railway company shall ever be permitted to haul freights on any portion of its lines in the streets of the City of Atlanta.

Sec. 2760. Section Intended Simply to Enlarge Previous Reservations of Power on Part of City to Control Street Railways—Applies to Successors of Railway Companies.—No reserva-

tion of power heretofore made by the City in general or special ordinances, or contracts, with reference to street railways or other business, is hereby repealed or modified, except as the same may be hereby enlarged, nor is any requirement as to the payment of rentals by street railway companies for the use of tracks across any bridge or bridges in any way hereby impaired. All the provisions of this chapter and of amendments, which may be made thereto, shall apply to the successors or assigns of street railway companies equally with existing companies or those first taking the grants.

Sec. 2761. Expirations of Grants to Extend Lines—When.—All grants of consent and authority to extend existing lines, or enlarge an additional system of street railway, shall expire with the date of the expiration of the first grant to the Company owning or operating the original line or system so added to or enlarged.

Sec. 2762. Rails to be Laid to be Under the Direction of Committee on Electric and Other Railroads.—The style and size of rails, to be used by any street railway company, in laying new tracks or in renewing tracks, shall be subject to approval by the Committee of the General Council on Electric and Other Railroads, and the City also reserves the right to require a change of the kind of rails used in order to conform to the pavement used, or to be used on the street or portion of street, or in order to promote the safety of travel along the street. (Applications for franchise must be advertised. This provided for in an ordinance on another subject.)

Sec. 2763. Conductors and Motormen Require State Laws to be Obeyed on their Cars.—It shall be the duty of the Chief of Police and other police officers and policemen of the City of Atlanta to give special attention to the fact that conductors or other employees in charge of street cars and other railroad cars, while within the corporate limits of the City of Atlanta, require passengers in their trains or cars to comply with the provisions of the laws of Georgia herein above cited (as to separation of white and colored races) and in case of the violation of the said laws by the conductors or other employees of railroad or street railroad companies to arrest such persons so vio-

lating said laws, and prosecute them in the Criminal Court of Atlanta for such offenses.

Sec. 2764. Passengers Must Observe Penal Laws of the State—As to Separation of Races—Penalty for Failure to Respect Orders of Conductor in this Regard.—Passengers on street cars operated in the limits of the City of Atlanta, and in territory outside of the regular limits of said City, which has been incorporated as a part of said City for police purposes, must observe and obey the requirements of said penal laws of the State as to the separate seating of the races in such cars, and any passenger failing to obey the directions of the conductor or persons in charge of the car in this respect, when and in so far as it is practicable to do so, shall on conviction of such violation in the Recorder's Court of the City of Atlanta, be punished by fine not exceeding \$100.00, or imprisonment not longer than thirty days, in the discretion of the Court.

Sec. 2765. Oiling or Greasing Tracks—Dirt Removed.—In greasing, oiling or otherwise dealing with street car tracks for the purpose of rendering the contact of wheels thereon easy and decreasing friction, the corporation, person, agent or employee using such grease or similar substance shall first clean or cause to be cleaned the tracks and grooves in or about which such grease or similar substance is placed and, in such cleaning, the sand or dirt or similar substance removed therefrom shall be carried or caused to be carried to the gutter or side of the street so that when the grease or oil is used, as above stated, people stepping on same will not come in contact with sand or dirt filled with grease or similar substance, thus endangering their travel and unfitting the streets, at such points, for safe use.

Sec. 2766. Penalty.—Any corporation, person, agent or employee, using grease or similar substance on the street car tracks of the city without removing or causing to be removed, the sand or dirt, or other substance, as herein provided, shall be guilty of an offense and on conviction thereof, in the Recorder's Court, shall be fined not exceeding One Hundred Dollars for each offense or sentenced to work not exceeding thirty days on the public works, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER LXXXVIII.

TAX COLLECTOR—ASSESSORS AND RECEIVERS.

Sec. 2767. Tax Collector—How Elected—Duties, Compensation, Bond—How Defined and Fixed.—The office of Tax Collector shall be a separate and distinct office, and he shall be elected by the people at the same time the other City officers are elected, and his duties shall be defined by resolution or ordinance—together with the compensation to be allowed him, and the bond and security to be given—before his election each and every term.

Sec. 2768. Bond—By Whom Approved—Oath of Office.—Before the Tax Collector of the City of Atlanta enters on the duties of his office, he shall give bond, with good and sufficient security, in such sum as the Mayor and General Council shall, by resolution, determine, for the faithful performance of the duties of his office, and take the oath prescribed for other officers.

Sec. 2769. Office—Where Located.—The said Tax Collector shall have his office at the City Hall, in the room now known as the City Clerk's office.

Sec. 2770. Returns to Comptroller—Other Duties.—The said Collector of taxes shall make a return to the Comptroller, who shall enter the same on his books, and pay over to the City Treasurer at least once a day all moneys belonging to the City of Atlanta, and shall do and perform all such duties as are now or may hereafter be designated by the Mayor and General Council.

Sec. 2771. Collector and Assessors and Receivers Separate Officers.—The Tax Collectors and the Tax Assessors and Receivers shall be separate and distinct officers, and shall each perform such duties as are prescribed for their conduct and ob-

servance, and shall be known as Tax Collector and Tax Assessors and Receivers, respectively.

Sec. 2772. Assessors and Receivers—How Elected—Duties.—The Mayor and General Council of said City shall elect three Tax Assessors and Receivers, whose duty it shall be to assess the real estate in said City for taxation, and to receive returns of property, both real and personal, and in cases of failure to return personal property for taxation, or failure to make a true return, or attempted fraud in returning the same, to assess the value of personal property for taxation.

Sec. 2773. Term of Office—Compensation—Oath of Office.—They shall be elected, as their terms expire, on first Monday in July respectively, and hold their offices for two years, and until their successors are elected and qualified. They shall have such compensation as the Mayor and General Council shall prescribe before their election, which shall not be changed during their term. They shall take such oath and give such bond as may be required by said Mayor and General Council.

Sec. 2774. Collector, Assessors and Receivers—Give Whole Time to City—Hours Fixed by Mayor and General Council.—The Assessors and Receivers and the Tax Collector of said City shall give their whole time to the service of the City during such business hours as the Mayor and General Council may prescribe during their terms.

Sec. 2775. Bond and Oath.—The Tax Receivers and Tax Collector of said City shall discharge the duties above specified, in addition to those now required by law, and shall give sufficient bond with sureties, to be approved by the Mayor and General Council, and shall take such oath before the Mayor as the Mayor and General Council may prescribe.

Sec. 2776. In Case of Failure to Return—How Property Assessed.—If any person fails, neglects, or refuses to make a return of his or her personal property, subject to taxation under the charter and ordinances of the Tax Assessors and Receivers, or to truly answer such questions as may be asked, or to sub-

mit his personal property for the inspection and valuation of the Tax Assessors and Receivers as provided, then it shall be the duty of the Tax Assessors and Receivers, jointly, from the best information they can get in reference to the amount and value of the personal property owned and possessed by such person, to arrive at the true value of the same, and place it upon their books.

Sec. 2777. Names of Persons Failing to Return Kept on Books—For What Purpose.—They shall also enter upon their books the name of any person, firm, joint stock company, or corporation, who shall either fail or refuse to give in their property, and of all they are unable to find, and whom they may believe to be subject to tax on personal property, and of all persons subject to street tax.

Sec. 2778. Shall Not Enter Private Residences Without Consent.—In the discharge of the duties above specified, the Tax Assessors and Receivers shall not enter the private residence of any person against the consent of the occupants.

Sec. 2779. False or Fraudulent Returns—Procedure.—In case of false, fraudulent, or unfair returns, the Tax Assessors and Receivers shall cite the person making the same to appear before them on some day to be fixed by them, and show cause why the return should not be corrected.

Sec. 2780. In such Proceeding, Shall Hear Proof—Failure to Appear—Return, How Made.—Upon any such person so cited appearing before them, they may, and shall if requested, hear evidence as to the real value of the property in dispute, and determine the same. If such person so cited refuses or neglects to appear, his return shall be corrected by the Tax Assessors and Receivers, according to the best information they can get.

Sec. 2781. Tax Digest—By Whom Prepared.—After all the returns are in and corrected (where corrections are necessary), the Tax Assessors and Receivers shall enter the same upon the usual Tax Digest of the City, in the proper column of said book.

Sec. 2782. Books to Be Provided.—It shall be the duty of the Tax Assessors and Receivers to have prepared suitable books for the purpose of receiving returns, as provided in the foregoing sections.

Sec. 2783. Oath Prescribed for Tax Receivers and Assessors.—The Tax Assessors and Receivers of the City of Atlanta shall take and subscribe before the Mayor the following oath or affirmation: "You do solemnly swear (or affirm) that you will well and truly discharge the duties of Tax Assessors and Receivers of the City of Atlanta, and that you will endeavor, to the best of your knowledge and ability, to obtain a just, full, and complete return of all personal property subject to taxation by the charter and ordinances of the City of Atlanta, and also a full and complete return of all persons subject to street duty in said City. And you do further swear (or affirm) that you will truly and correctly administer the oath prescribed by the City ordinance to each and every person making return for taxation, so help you God."

Sec. 2784. Oath Prescribed for Personal Property Tax Payers.—The following oath (or affirmation) shall be administered to each and every person making returns for taxation to the Tax Assessors and Receivers: "You do solemnly swear (or affirm) that the return, which you are about to make, shall be a just and true statement of all personal property of every kind, which you held or owned on the 31st day of January (inserting here the year), or were interested in, either in your right, or the right of any person or persons whomsoever, either as parent, guardian, executor, administrator, agent, or trustee, or in any other manner whatsoever, to the best of your knowledge, information, and belief. You do further swear that you will correctly answer all questions asked you by the Tax Assessors and Receivers in reference to said return and that you have not conveyed or assigned to others, or removed out of the city, any property to avoid returning the same for taxation."

Sec. 2785. Questions to Be Propounded by Assessors in Receiving Returns.—The City Tax Assessors in receiving and assessing property in this City, subject to be assessed and taxed,

shall require all persons, or their agents, making returns for them, to answer questions prepared in the form of blank return, as follows:

1. Real estate, see Assessors' Book, page
2. What amount of insurance do, or did, you carry on personal property within past 12 months, exclusive of stock of goods and merchandise.
3. Horses.
4. Mules.
5. Carriages, buggies, drays, wagons, bicycles, automobiles, etc.
6. Cattle and sheep.
(Pianos, Organs, Musical Instruments and Sewing Machines; Kinetoscopes, Graphophones, Iron Safe, Office.)
7. Painting and works of art.
(Diamonds, watches, jewelry, clocks, etc. Gold, silver and plate ware.)
8. Medical, Law, and other Libraries.
9. Billiard and Pool tables and Bar Fixtures.
10. Merchandise of all kinds.
(Money.)
11. Notes. (Accounts, including debts not wholly insolvent. Bonds and stocks of all kinds not exempt on face.)
12. Medical and Dental Instruments and Mechanical Tools.
(Printing Presses, Type, Typewriters, Printing Materials and machinery of all kinds, Store Fixtures, Guns, Pistols and all other personal property not heretofore enumerated).
13. Does your wife or children own any personal property?
14. Do you represent anyone as Guardian, Executor, Trustee, administrator, agent, or in any manner whatever?)
15. If so, whom?
16. Household and kitchen furniture?
Street Tax.
Sanitary Tax.
Total.

Each person or agent in making said returns shall, in addition to answering questions aforesaid, in person sign and sub-

scribe in writing in the presence of, and after being duly sworn by one of the Tax Assessors, the oath published in Section 1426 of the Code of the City of Atlanta 1899 (Section 2784 of this Code). No return shall be accepted by the Assessors unless the same is signed and sworn to in writing as provided above.

Sec. 2786. Assessors Shall Ask Each of the Above Questions—Repeat in Full the Oath.—The City Tax Assessors shall furthermore be required, and it is hereby made their duty, to ask of each person making returns, as required by the ordinances of the City, each and every question printed on said blank return, and then and there note that answer of each person separately to each question, and to repeat in full the said oath, before receiving the signature and written affidavit of such person thereto.

Sec 2787. Omissions in Returns—Ordinances as to Same to be Enforced Officer Aiding Tax-Payer to Escape Taxes—Everybody Shall Make Return—Defaulters.—The penalty provided by existing ordinances for not making returns or omissions therein shall hereafter be enforced, and it shall be a breach of duty on the part of any officer to omit same, or to aid any property-owner in escaping same.

It is hereby made the specific duty of the City Tax Assessors to see that each and every property-owner shall make returns of his personal property, and that both personal and real estate, owned by each property-owner, shall be taxed as required by law.

If any property-owner shall fail to make any return of his personal property, the City Tax Assessors shall enter same in default, under the provisions of existing ordinances, and see that the full amount thereof is assessed for taxation, and the penalties therefor fully and strictly enforced.

Sec. 2788. Petitions for Exemption—Conditions Precedent.—Before any petition or application for exemption from the payment of any character of taxes, *fi fas*, or other costs, or for any such taxes or costs, or any portion thereof, that may have been collected by the City, to be refunded, shall be considered

by the Mayor and General Council, the facts set forth in such petition or application shall be made under oath.

Sec. 2789. Consideration of Petitions for Exemptions—Procedure.—In the consideration of all claims of the character prescribed in the foregoing section, the Committee of the General Council having the same under consideration, shall be authorized to summons witnesses, and examine them under oath, including such examination of the applicant or applicants in all such cases.

Sec. 2790. Assessors and Receivers Perform Duties of Tax Investigator—Investigate Doubtful Cases—Defaulters—Listed, How Often—Report.—The City Tax Assessors and Receivers shall hereafter perform the duties hitherto performed by Mr. Collier as Tax Investigator, and it shall be their duty to closely investigate the names of all persons or corporations, who fail to return their property for taxation, together with the amount of property, real or personal, concealed or not returned by them, as well as the names of all persons or corporations, who may have made inadequate or partial returns of their property, real or personal, and from the investigations thus made to cause the names of such persons or corporations to be properly entered upon the Tax Digest or book of defaulters, as required by existing ordinances, together with a proper assessment of their real or personal property concealed, not returned, or in default. It shall further be the duty of said Assessors each month to make up a list of such defaulters, together with a statement of the property concealed from taxation, which they have caused to be properly assessed during said month, and transmit a copy thereof to the meeting of the Committee of Tax, as directed by said Committee.

Sec. 2791. Rate of Taxation One and One-fourth Per Centum Per Annum.—As provided by an amendment to the Charter of the City of Atlanta, made by Act of the Legislature of Georgia, approved on the 23rd day of December, 1896, the rate of taxation to be levied on all taxable property, real and personal, within the corporate limits of said City, shall be one and one-fourth per centum, or one dollar and twenty-five cents on

every one hundred dollars in value of such taxable property; and the rate shall be the same for property of less value than one hundred dollars; such annual rate of taxation shall remain in force until lawfully changed.

Sec. 2792. Real Estate to be Assessed at Cash Market Value—Date to Complete Assessments.—The taxes levied by the foregoing section shall be assessed and collected in the manner herein prescribed, to-wit: The taxable real estate in said City shall be assessed by the Tax Assessors and Receivers at its cash market value, and such assessments shall be compared by the first day of February of each year.

Sec. 2793. Books Open February 1st—Close March 15th—Tax Digest—Contents—Duties of Tax Collector.—The Tax Assessors and Receivers shall open their books for receiving returns of taxable property on the first day of February of each year, and close such books on the fifteenth day of March of each year; and the returns of all property subject to taxation shall be made within the dates just before named. The said Assessors and Receivers shall receive returns upon blanks prepared in conformity with ordinances governing the same. They shall make one Digest annually, which shall be kept in the office of the said Assessors and Receivers. A copy of this Digest shall be made, and kept in the office of the City Comptroller. The columns on these digests shall be so prepared as that the footings will show the amounts collectible on real estate, personality, street tax, sanitary assessments, etc. separately, and the amounts collected by the Tax Collector upon receipts written and turned over to him by the Assessors and Receivers, together with the amounts of the blank executions prepared and turned over by the said Assessors and Receivers for executions to be issued as prescribed by law, each year, shall equal the sum of the footings on the annual tax Digest, less the discounts, that may be allowed any one year for the prepayment of taxes. The Tax Collector shall make daily deposits of taxes collected, as well as of all other collections, with the City Treasurer, taking his receipts for the same, and both the Tax Collector and the Treasurer shall make daily and monthly reports to the Comptroller, who shall debit the one and credit the other.

Sec. 2794. Property Not Returned—Ten Per Cent. Penalty—Authority of Assessors and Receivers Continued in Force.—Any property, real or personal, not exempt from taxation by the laws of the State, or whose return is not otherwise provided for by the laws of the State of Georgia, which is not returned by the owner, agent, administrator, trustee, receiver, or other person in charge thereof, before the closing of the books for receiving returns, shall have ten per centum added to the assessed value thereof as a penalty for failure to make returns, and be taxed on the basis of the assessment with such penalty added, unless such property be relieved from the penalty named by the Mayor and General Council. The power of the Tax Assessors and Receivers to make assessments of personal property not fully and fairly returned by its owners, or not returned at all by such owners, is continued in full force.

Sec. 2795. Taxes—How Payable—Installments—Interest on Deferred Payments.—The taxes due the City of Atlanta on real estate and personal property of all kinds shall be due and payable in three installments, as follows: The first installment of twenty-five per centum of such taxes on the fifteenth day of April in each year; the second installment of twenty-five per centum on the first day of July in each year; and the third installment of fifty per centum on the fifteenth day of October in each year. The first installment may be paid at any time between the first and fifteenth days of April, inclusive of both days, in each year; and if not paid on or before the fifteenth day of April in each year shall bear interest at the rate of seven per centum per annum until paid. The second installment may be paid at any time between the fifteenth day of June and the first day of July, both inclusive, in each year; and this installment, if not paid on or before the first day of July, shall bear interest at the rate of seven per centum per annum until paid. The third and final installment may be paid at any time between the first day of September and the fifteenth day of October, both inclusive, in each year; and this installment, if not paid on or before the fifteenth day of October, shall bear interest at the rate of seven per centum until paid.

Sec. 2796. Discounts for Prepayment of Taxes—May Pay in Full When Any Installment is Due and Payable.—Any tax-payer shall have the option of paying his taxes in full for the year with the first installment thereof, and in case of so doing shall be allowed a discount of one-half of one per centum on the taxes so paid. Any tax-payer shall likewise have the privilege of paying his taxes in full for the year with the second installment thereof, and upon so doing shall be allowed a discount of one-fourth of one per centum on the taxes due under the third installment. Any tax-payer may stop the running of interest on any past due installment or installments of taxes upon paying the same after they are due, and before the issuance of an execution therefor; that is to say that, upon the payment of such past due installment or installments, interest shall be computed from the fifteenth day of April and the first day of July, respectively, until the date of payment.

Sec. 2797. Sanitary Tax—Divided Same Way—Amount.—The sanitary assessment tax of three dollars a lot shall be collected with the general property taxes, and divided into similar installments.

Sec. 2798. Street Tax—Must Be Paid—When.—The commutation taxes of one dollar per annum on persons subject to road duty, in lieu of such road duty, levied by the annual tax ordinance, may be returned at any time between the first day of February and the first day of July in each year. Every person liable to road duty, who has not paid such commutation tax on or before the first day of July in each year, shall be liable to execution for such tax with costs of collection, as prescribed by existing ordinances, or to be summoned to work the streets, and to fine, or other penalty for failure to obey such summons, as prescribed by existing ordinances.

Sec. 2799. Executions—How Issued Against Delinquents—Levied and Collected—When—By Whom.—On the first business day after the fifteenth day of October in each year executions shall be prepared by the Tax Assessors and Receivers, and issued by the Clerk of Council, to enforce the collection of all unpaid taxes, or installment of taxes, with the interest accrued

thereon, and the costs of collection, as prescribed by existing ordinances; but only one execution shall issue annually against each tax-payer, which execution shall cover all arrearages of taxes against such taxpayer for the year. Such tax execution shall be levied and collected by the Marshal of the City of Atlanta, as prescribed by existing ordinances under the rules and regulations as to the manner of levy, advertisement, notice and sale prescribed by law.

Sec. 2800. Oath of Person Giving in Taxes.—(See previous section of this chapter.) The oath to be administered by the Tax Assessors and Receivers for the City of Atlanta shall be as follows, to-wit: "You do solemnly swear (or affirm) that the amount, which you now give in, is just and true account of all the taxable property, which you possessed, held, or claimed, on the thirty-first day of January last, or were interested in or entitled to, either in your own right, or the right of any person or persons whomsoever, as parent, guardian, executor, administrator, agent, or trustee, or in any other manner whatever, according to the tax ordinances of the City of Atlanta, to the best of your knowledge, information and belief; so help you God."

Sec. 2801. Persons Making False Returns—How Dealt With.—Any person, who shall knowingly make any false, incomplete, or unfaithful returns under these ordinances shall, on conviction, be fined at the discretion of the Recorder's Court not exceeding fifty dollars and costs, or be imprisoned in the calaboose or common jail of the county not more than thirty days, in the discretion of the Court.

Sec. 2802. Superintendent of Schools—Makes Roster of Parents and Guardians of Children—Furnishes Same to City Tax Assessors—When.—The Superintendent of Public Schools shall cause a canvas to be made of the scholars enrolled in the schools of the City during each calendar year, and from this canvas shall have prepared a complete list or roster of the parents or guardians of each child in attendance; and shall, on or before the first day of January of each succeeding year, furnish said list or roster to the City Tax Assessors for information, and as an aid in their investigation of persons and property subject to be taxed

under the laws and ordinances of this City, a fund shall be provided therefor.

Sec. 2803. Chief Clerk to Assessors.—The office of Chief Clerk to Tax Assessors is hereby ordained and such officer shall have the powers heretofore exercised.

Sec. 2804. Fund Fixed for Such Compilation—Work to Be Done—Condition, if Work Done by Assessors.—Said fund is fixed at the amount of five hundred dollars (\$500.00) for the year 1904, and shall be paid to the Tax Assessors to cover this work from the special apportionment therefor, and they are hereby authorized to have same done at an amount not exceeding the above appropriation, provided, if said work is done by themselves, the said amount shall be paid to said Assessors therefor as extra work, but in no event shall payments for said extra work increase their annual compensation above two thousand dollars (\$2,000.00) per year.

Sec. 2805. Tax Levied—For What Year—For What Purposes.—As authorized by the City Charter, and for the support of the government of the City of Atlanta, for paying the interest on the bonded debt, reducing the bonded debt, supporting and maintaining the public schools, and sustaining the credit thereof, sinking fund, and for other purposes ordinary and contingent, the following taxes are hereby levied and assessed, and shall continue in force for and during the fiscal year ending June 30th, 1908, and until repealed.

Sec. 2806. Real Estate—Merchandise—Solvent Debts—All to Be Returned for Taxation.—On every house, building-lot, or other real estate in said City, not exempt from taxation by law, which shall be assessed in accordance with the charter, and on all merchandise, machinery, cash, solvent debts, franchises or special privileges, and on all other personal property of every kind held or owned by each merchant, trader, or other persons, whether held by them individually or as trustee, guardian, administrator, receiver, assignee, or agent, or otherwise, on the 31st day of January, 1907 and on the 31st day of January, 1908, there shall be levied a tax of one dollar and twenty-five cents on every

one hundred dollars of the value thereof, and on less than one hundred dollars in value in proportion, for the respective years; and any person or persons, firm, joint stock company or corporation, who may have held or owned such real estate, merchandise, machinery, cash or solvent debts, franchises or special privileges or other personal property on the 31st day of January, 1907, and on the 31st day of January, 1908, respectively, make return to the Tax Assessors and Receivers under oath, of the amount of such merchandise, machinery, cash, solvent debts, franchises or special privileges, and all other property of every kind, or real estate, and in default of making return as aforesaid, the defaulter shall be subject to execution, levy and cost.

Sec. 2807. Stocks and Bonds—All except those Exempt on Face Taxed—Duties of Presidents of Corporations.—On every hundred dollars of the market value of all stocks, State, municipal and other corporation bonds, other than the bonds of the City of Atlanta, or State of Georgia, and all money loaned at interest, or money or solvent debts not exempt from taxation by law, owned or held by any person, firm, company or corporation, including brokers, residing or doing business in said City, in his, her or their own right, or as guardian, trustee, executor, administrator, receiver, agent or otherwise, on the 31st day of January, 1907, and the 31st day of January, 1908, there shall be levied a tax of one dollar and twenty-five cents per annum, and on less than one hundred dollars in value in proportion, for the respective years; and it shall be the duty of the President, or other principal officer, or agent of any corporation, to make return, under oath, to the Tax Assessors and Receivers of the amount of their capital stock, surplus, and other property.

Sec. 2808. Bonds and Stocks of Non-Residents Invested in the City.—On every hundred dollars in money and solvent debts, and the values of all stocks, State, municipal, or other corporate bonds and debts subject to taxation by the City, owned by non-residents, and in the City of Atlanta, there shall be levied a tax of one dollar and twenty-five cents per annum, and on less than one hundred dollars in value in proportion.

Sec. 2809. Musical Instruments—Furniture—Patent Rights—Other Personal Property—All Taxable.—On every hundred dollars in value of furniture, musical instruments, sewing machines, patent rights and stock held in patent right companies or corporations, iron safes, paintings, works of art, diamonds, watches, clocks, jewelry, libraries—both professional and literary—dental and surgical instruments, gold, silver, and plated ware, printing presses and material, and all other personal property not herein enumerated, held or owned by any person, firm, corporation, or joint stock company in said city, on the 31st day of January, 1907, and on the 31st day of January, 1908, there shall be levied a tax of one dollar and twenty-five cents per annum, and on less than one hundred dollars in value in proportion.

Sec. 2810. Carriages—Wagons—Carts—Horses—Mules—Other Personal Property—Taxable.—On every one hundred dollars in value of each carriage, buggy, wagon, cart, bicycle, or other vehicle, and of every horse or mule or cow held or owned by any person, firm, joint stock company, or corporation, and on each hundred dollars of all other personal property not heretofore enumerated in this ordinance, taxable by law, held or owned by any person, firm, joint stock company or corporation, on the 31st days of January 1907 and 1908, respectively, there shall be levied a tax of one dollar and twenty-five cents per annum, and on less than one hundred dollars in value in proportion, for the respective years.

Sec. 2810(a). Assessments Against Defaulters.—The City Tax Assessors and Receivers shall assess the personal property of all defaulters and of all making fraudulent or incomplete returns.

Sec. 2811. Street Tax Commutations for Road Duty—Failure to Pay Same—Work on the Streets. On each and every male person, who is a resident of the City on the first day of July 1907, between the ages of twenty-one and fifty years, there shall be levied and collected a tax of one dollar as a commutation for road and street duty for the current year; and all persons liable to pay said tax, and failure after notification to do so, shall be required to work five days on the streets, under the supervision of the Chief of Construction. Upon failure of any person liable for said tax to pay the same by the time the books for the

collection of tax shall be closed, the clerk of the Council shall issue execution therefor against the person so liable; upon failure to pay after five days' notice, said execution may be levied and collected by the Marshal as other tax executions; cost on same not to exceed one dollar and fifty cents; and upon failure of any person to pay said execution, and the legal cost thereon, such person may be notified by the Marshal or his deputies to appear and work the streets, and upon failure to appear and work the streets, after five days, notification, such person shall be arrested by said officers and brought before the Recorder's Court, and, upon conviction, fined in a sum not less than five dollars nor more than fifty dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the Court. There shall be no exception to this section, except those especially allowed by the United States and State enactments.

Sec. 2812. Annual Tax Ordinances—By Whom Passed. The Mayor and General Council shall each year pass such tax ordinances, not contrary to the law, as they may deem proper.

Sec. 2813. Powers of the Recorder's Court in Investigations as to Violation of These Ordinances. In all investigations under these ordinances, where charges of the violation of the same are being tried before the Recorder's Court, he or they shall have power to send for persons and papers, and compel attendance of parties and witnesses, and the production of books, papers, and other evidence on the trial.

Sec. 2814. Mayor to Enforce—Do Not Apply to Vendue Masters. It shall be, and is hereby, made the duty of the Mayor to adopt such measures as he may think best and proper to insure a rigid enforcement of these ordinances. The provisions of these ordinances do not and are not to be applied to sales made by properly licensed vendue masters, nor to any property sold under legal process.

Sec. 2815. Persons Failing to Make Returns—Double-Taxed—Executions Issue—How. In case any person or persons,

firm or firms, corporation or company, subject or liable under the tax ordinances of the City of Atlanta, that may be passed in and for any year, to make a return or returns of sales or receipts, of any business under said ordinance, shall fail to make said return or returns within the time specified in said ordinance, he, she, it or they shall be assessed at double the amount of the immediately preceding return, and, if no return shall have been made, then assessed in the discretion of the Clerk of Council, and in all such cases of default in making returns, or in payment of taxes so assessed, execution shall issue and be collected as other executions issued by the authority of the said Mayor and General Council.

Sec. 2816. Assessors Keep Defaulters' Digest—Contents—Penalty for Defaulters. In case of the failure of the owner or agent, trustee, guardian, or person in charge of any property, which ought to appear on the tax books, to go to the office of the City Tax Assessors and Receivers, and take the oath, and make the returns required by law, the Tax Assessors and Receivers shall keep a digest, to be known as the "Defaulters' Digest," in which all such names and the amounts returned by them assessed against them shall be recorded; and it shall be the duty of the Marshal, before settling with them, to require all defaulting Tax payers to go to the office of the City Tax Assessors and Receivers, and take the oath and make the returns required by law, and any defaulter, failing to comply with this section, when thus required by the Marshall, shall be subject to a fine of not exceeding fifty dollars, or imprisoned not exceeding twenty days, upon conviction in the Recorder's Court.

Sec. 2817. Assessors Books—Description of Property—Tax Assessors Records. The City shall order for each year for the use of the City Tax Assessors a book for each ward, in which shall be recorded an accurate description of each parcel of property assessed, giving the numbers of ward, land lot, and district in which it is located, the number of front feet and on what side, whether north, south, etc. of street on which it is located, with number and name of street; between what streets located;

how many feet running back and in what direction, whether Northerly, Southerly, etc; whether vacant or improved, adjoining whose property; name of owner, his or her street, and number of residence, and if non-resident, with correct address, tax assessment and remarks. The Tax Assessors are required to keep their records so as to comply with this section as fully as practicable. Two blank books, comprising the eight ward books, shall be also ordered, with the following additional columns, viz.: whether returned for taxes, and by whom, and for what amount.

Sec. 2818. Selling Real Estate—Notify Tax Assessors and Receivers. All owners of real estate in the City selling a part or the whole of any lot, are hereby required to file within three months of the date of such sale, with the Tax Assessors and Receivers, information of said sale, or sub-division of his lot, and that the Assessors keep a separate book for this purpose.

Sec. 2819. Railroad Taxes—Assessors Call on Comptroller—General—Receive Returns—Enter Same as Other Returns.—It shall be the duty of the Tax Assessors and Receivers of the City of Atlanta to call upon the Comptroller-General of the State of Georgia at the time the said Comptroller-General is ready to make a statement of the returns of the Railroad Companies, subject to the taxation by the City of Atlanta, or of the assessments against said companies, and receive annually from the said Comptroller-General the various returns, that he is required to receive for the City of Atlanta for municipal taxation. And the Tax Assessors and Receivers shall enter such returns upon the same books that contains the returns of other tax-payers.

Sec. 2820. Executions Against Railroad Companies—How Issued—How Collected and Enforced. The method for the collection of taxes due by Railroad Companies shall be the same as is observed in the case of other tax-payers, except that, if any railroad company shall fail to pay its taxes due the City of Atlanta by the 15th day of October in any year, it shall be the duty of the Tax Assessors and Receivers to notify the Comptroller-

General of the State of Georgia of the fact and amount of such unpaid installment or installments of tax, together with interest due thereon, and have an execution issued as prescribed by law. The dates and amounts of all such executions shall be reported by the Tax Assessors and Receivers to the Comptroller and Clerk of Council of the City of Atlanta, who shall keep a record of all such executions. The City Tax Collector shall receive for the City of Atlanta the proceeds of such executions, and issue receipts therefor, written by the Clerk of the Council in conformity with the coupon system.

CHAPTER LXXXIX.

TICKET BROKERS.

Sec. 2821. Ticket Brokers—Defined.—A ticket broker or dealer is defined to be one who buys or sells or otherwise deals in railroad, railway, steamboat, or steamship passenger tickets, or other evidences of passenger transportation, which may be lawfully sold by others than the duly authorized agents of the railroad, railway, steamboat, or steamship lines, over which such tickets purport to entitle the lawful owner to ride.

Sec. 2822. License or Occupation Tax—License Issued—for How Long—Contents—License for each Place.—Each person, partnership, or corporation before entering into the business of being a ticket broker or dealer in the City of Atlanta shall pay to the City Clerk the sum of three hundred dollars as a license or occupation tax, in consideration of which a license shall be issued to the said person, partnership, or corporation, permitting said person, partnership, or corporation to engage in the business of ticket broker or dealer for a period of one year at one place in the City of Atlanta, which said place shall be described by the street and number in the City of Atlanta and said license shall authorize the said person, partnership or corporation, to have only one such place of business; and a like license shall be required for each place, in which the business of ticket broker or dealer is conducted by said person, partnership, or corporation. No license shall be issued under this ordinance for a less period than one year.

Sec. 2823. Shall Furnish Daily to Chief of Police Certificate Contents—Places of Business Open to Inspection by Police. Each person, partnership, or corporation, engaged in the business of being a ticket broker or dealer in the City of Atlanta shall each day furnish to the Chief of Police of the City of Atlanta a certificate, stating the number of tickets, or other evidences of

railroad, railway, steamboat, or steamship transportation bought or acquired by him during the preceeding day, and also the number sold by him during the preceding day; and said certificate shall minutely describe each of said tickets or other evidences of transportation so acquired or bought or sold, giving the name of the Company issuing the same, the point of origin, the place of destination, the route, the number and form of ticket or other evidence of transportation, the date of issue, and shall also show from whom the said ticket or other evidence of transportation was acquired and to whom sold; the consideration paid for the same, and the price, at which the same was sold. And the office and place of business shall at all times be open to inspection by the Chief of Police of Atlanta, or any City police or detective officer, who may be designated by the Chief of Police.

Sec. 2824. Failure to Report—Penalty—Fine and Revocation of License. A failure to report the purchase, acquirement, or sale of any ticket or other evidence of transportation, as above required, and in the manner above required, at the time above required, shall subject the said ticket broker, and each employee of said ticket broker, and each member of the partnership, if the same be a partnership, and each officer of the corporation, if the same be a corporation, to a fine not exceeding \$500.00, or to 30 days imprisonment, one or both to be inflicted in the discretion of the Recorder, and a conviction thereof shall of itself work a revocation of the license granted to said person, partnership or corporation, and a failure to submit to such inspection shall likewise be a crime punishable as above provided, and shall likewise result in a revocation of said license, and the said person, partnership, or corporation shall not again be eligible for like license, and they shall have no action to recover any unearned part of said license.

Sec. 2825. Shall Post License in Conspicuous place—Failure—Penalty. The license issued to such person, partnership, or corporation shall be posted in a conspicuous place in the place of business of said person, partnership, or corporation, and a failure to so post shall for each day be a crime punishable as above provided in the section next preceeding.

Sec. 2826. Shall Give Bond—License Depends Upon Same—May Be Sued On—How.—No license shall be granted under this ordinance until the person, partnership, or corporation applying for the same shall give bond in the sum of two thousand dollars with two good sureties, conditioned upon the faithful performance of the conditions of this ordinance, and the full amount thereof may be recovered upon the information or suit of any person, and one-half of such recovery shall be paid to the informer, and the other half be paid to the Treasurer of the City of Atlanta. Said bond shall be made to the City of Atlanta, and shall be approved by the Clerk of the City of Atlanta.

Sec. 2827. Cannot Do This Business Without License—Punishable—Employees Punishable—In What Event.—No license for the business of being a ticket broker or dealer, as defined herein, shall be issued, except on terms of this ordinance, and it is hereby declared to be a crime to do said business without a license, and upon conviction thereof the person or persons so convicted shall be punished, as provided in the above section of this ordinance. It is further ordained that every person accepting employment in the business of such person, partnership, or corporation conducting said business without said license shall be guilty as though he was conducting said business, and on conviction shall be so punished.

—Sec. 2828. Cannot Buy Passes or Free Transportation—Excursion or Mileage Tickets—Punishable.—It shall be unlawful for any person, partnership, or corporation, to buy, sell, or otherwise acquire or deal in or solicit the purchase or sale of any pass, or other evidence of transportation issued by any railroad, railway, steamship, or steamboat line, or the person operating the same, which shows on its face that it was issued for free transportation; it shall likewise be unlawful for any such person, partnership, or corporation, to buy, sell, or otherwise acquire or deal in or solicit the purchase or sale of any railroad, railway, steamship, or steamboat passenger ticket, or other evidence of passenger transportation, which is by its terms plainly on its face a mileage, excursion, or commutation ticket, where it appears upon such ticket that the same was issued and sold below the regular

schedule rate under contract with the original purchaser entered upon such ticket, and signed by such original purchaser that such ticket is non-transferable, and void in the hands of any other person than the original purchaser thereof. Such person shall upon conviction for any of the offenses provided for in this section, be punished as provided in the preceding section of this Chapter.

CHAPTER XC.

THEATRES—OPERA HOUSES—HOTELS—ETC.

THEATRE REGULATIONS.

Sec. 2829. Theaters—Halls—Building Regulations.—That no building hereafter erected or which, at the time of the passage of this ordinance, not in actual use as an assembly hall or theater, shall be used as such, or for public entertainment or gatherings in which stage scenery or apparatus is employed, unless it shall conform to the requirements of this ordinance. And all buildings which, at the time of the passage of this ordinance, are in use or in the course of construction, as theatres, shall immediately thereafter comply with the requirements of section 16, 18, 22, 25 (b), 32, 37, 38, 40, 41, 42, 44, 45 and 46 of this ordinance.

Sec. 2830. Walls—Fire Proof.—All theatres containing a seating capacity of seven hundred and fifty (750) people or more, shall have enclosing walls of brick the proper thickness as prescribed by the Building Code. All theatres seating less than seven hundred and fifty (750) persons used without any balcony, or gallery, and located outside the Fire Limits, may be of frame construction, provided, they comply with this Ordinance with reference to seats, aisles, exits, etc. Structures of any kind and for any purpose whatever erected above the ceiling of any auditorium which has a seating capacity of five hundred (500) or more people shall be entirely of fireproof construction.

Sec. 2831. Thickness of Walls, Where not Fire Proof. In all cases where fireproof construction is not used for the whole of such connected buildings, there shall be a fire-wall of such thickness as is prescribed for enclosing walls of same height, with each connecting opening double fireproof doors between such assembly halls and theatres, and the building connected therewith.

Sec. 2832. Floor Levels.—The following limitations of floor levels in theatres shall be observed in all cases of new construction or alternation of existing buildings.

The floor level of the auditorium of theatres shall be maintained within the limits of the first story thereof, and where such floors are banked, the floor of the lowest bank shall not be above the sidewalk level. If the floor of the first story is level it shall not be higher than four (4) feet above the sidewalk level, but in no case shall the floor at the main entrance be more than two (2) feet above the building grade level.

Sec. 2833. Don't Apply—Where.—Where an assembly hall or theatre of less seating capacity than five hundred (500) persons is located in a building of fireproof construction and is provided with two (2) flights of stairs, each five (5) feet wide in the clear, from the floor on which it shall be located to the ground, the provisions of the preceding section shall not apply thereto.

Sec. 2834. Open Court.—Every assembly hall and theatre shall, for service in case of emergency, be provided with an open court or court-way on the side not bordering on the street, where said building is located on a corner, and on both sides of said building where there is but one (1) frontage on the street. The width of such open court or courts shall not be less than six (6) feet where the seating capacity is not over one thousand (1,000) people; above one thousand (1000) people and not more than fifteen hundred (1500) people, seven (7) feet in width; and above fifteen hundred (1500) people, eight (8) feet in width, to which one foot shall be added for every five hundred (500) or part thereof in excess of two thousand (2000) people.

Said open courts shall begin on a line with or near the proscenium wall and shall extend the length of the auditorium proper, to or near the wall separating the same from the entrance lobby or vestibule.

Sec. 2835. Corridors.—If such court required in the preceding section be an interior court, a separate, distinct passageway, or corridor, shall continue to the street from each open court through

such super-structure as be built on the street-side of the auditorium, with continuous walls of brick or other fireproof materials on each side of the entire length of said passageway or corridor, and the ceilings and floors thereof shall be fireproof. Said corridors shall not be reduced in width to more than two (2) feet less than the width of the open court or courts, and there shall be no projection in the same; the outer openings shall be provided with doors or gates opening toward the street.

The said open courts, passageways or corridors, shall not be used for storage or any other purpose whatsoever except for exit and entrance from and to the auditorium and stage.

Sec. 2836. Corridors—Doors—Levels.—The level of said corridors, at the street entrance of the same, shall not be more than six (6) inches above the level of the sidewalks at such entrance. To overcome any difference of level in and between courts, corridors, lobbies, passages, auditorium and aisles on the ground floor, gradients shall be employed of not over one foot in twelve feet, with no perpendicular rises; within the auditorium no steeper gradient than two (2) in ten (10), rising toward the exit shall be employed.

Floors at all exits shall be so designed as to be level and flush with adjacent floors, and shall extend from an unbroken width of not less than four (4) feet in front of each exit, and shall be two (2) feet wider than such exit.

Sec. 2837. Exits.—From the auditorium opening into the said courts or side street, there shall not be less than two (2) exits on each side, in each tier, from and including the parquet, and each and every gallery. One shall be located near the lowermost, and the other near the highest level of each such tier.

Each exit shall be at least five (5) feet in width in the clear, and provided with doors of wired glass or wood, and if of wood doors shall be covered with metal. Said doors shall open outward, be hung from the inside corner of the jamb, and so constructed as to project, when opened, beyond the outside face of wall, and outer shutters, shall not be permitted. All of said

doors, and all other exit doors prescribed in this ordinance, shall open outwardly and be unlocked or open during performances.

Sec. 2838. Balconies.—There shall be balconies not less than four (4) feet in width in the said open court or courts at each level or tier above the parquet, on each side of the auditorium, of sufficient length to embrace the two (2) exits, and from said balconies there shall be stairways extending to the ground level, with a rise of not over eight (8) inches to a step, and not less than nine (9) inch tread. The stairway from the upper balcony to the next below shall not be less than thirty (30) inches in width in the clear, and from the first balcony to the ground not less than three (3) feet in the clear where the seating capacity of the auditorium is one thousand (1000) people or less; three feet six (6) inches in the clear, where above one thousand (1000), and not more than fifteen hundred (1500) people; and four (4) feet in the clear when above fifteen hundred (1500) and not more than twenty-five hundred (2500) people; and not less than four (4) feet six (6) inches in the clear where above twenty-five hundred (2500) people. The stairway from the upper balcony to the next below shall increase proportionately.

Sec. 2839. Stairways—Balconies.—Where one side of the building borders on a public highway there shall be stairways and balconies of like capacity and kind as heretofor mentioned, and the building set back or recessed far enough to admit such stairways without using any part of the public street, alley or courtway; if situated so the building has three (3) street fronts, exits must be made from the three (3) street fronts, and constructed with recesses as above described.

Nothing in this ordinance shall prohibit the building of such emergency exits and stairways inside the walls of the building, provided they are surrounded by a fire proof partition not less than four (4) inches thick separating the exits and stairways from the audience room or auditorium, and otherwise enclosed as an outside stair.

Sec. 2840. Iron Construction.—All of the above mentioned bal-

conies and stairways shall be constructed of iron throughout, including the floors, and be of ample strength to sustain the load to be carried by them, and they shall be kept clear and free from snow and ice and all other obstructions.

Wherever any such emergency stairway passes over an exit door or window or other opening, said stairway shall be completely enclosed on the soffit for a space of three (3) feet greater in width than said opening, by iron, steel or other incombustible material.

Sec. 2841. No Hotels—or Lodgings in.—No portion of any building used or intended to be used for theatrical purposes as herein specified, shall be occupied or used as a hotel, boarding or lodging house, factory or work-shop, or for storage purposes, except as may be provided for in this ordinance. Said restriction relates not only to that portion of the building which contains the stage, but applies to the entire structure in conjunction therewith.

No store or room contained in the building or the offices, stores or apartments adjoining as aforesaid, shall be let or used for carrying on any business dealing in articles hazardous in the discretion of the Chief of the Fire Department.

No lodging accommodations shall be allowed in any part of the building communication with the auditorium or stage.

Sec. 2842. Doors—Open Where.—No door shall open immediately upon a flight of stairs, but a landing of at least two (2) feet wider than the width of the doors opening shall be provided between such stairs and such door.

Sec. 2843. Stage, How Protected.—The stage shall be separated from the auditorium by a brick wall and not less than two (2) brick thick, or its equivalent, the entire width of the building and topped out at least two (2) feet, and in non-fireproofed buildings, six (6) feet, above the roof of the auditorium. There shall be no openings in the wall except the curtain opening, and not more than three (3) others, two which are to be located below the stage. These later openings shall not exceed twenty-one (21)

superficial feet each, with tinned wood and self-closing doors securely hung to rebates in the brick work. The wall over the curtain opening shall be carried by a fireproof iron girder with a relieving arch above or by a brick arch of sufficient capacity and abutment or security on each side of the opening, to insure stability against the thrust of the arch.

Sec. 2844. Proscenium Opening—Curtain—Material for.—The proscenium opening shall be provided with a fireproof curtain of steel, asbestos, or other approved fire resisting material, to be subject to test and approval of the City Building Inspector. If of metal it shall slide in grooves of metal extending six inches on each side of the opening, and securely fastened to the brick proscenium wall. If of asbestos, it shall lap over sides and top of opening not less than twelve inches, and run on steel wire cables with eyes riveted to said curtain, and have not less than one inch iron pipe attached to the top and bottom of same. All curtains shall be hung with steel wire cable passing through metal blocks, and balanced to work easy from both the stage floor and fly gallery, and shall be raised and lowered at least once during each performance. Said fireproof curtain shall be raised and lowered before and at the close of each performance, and once during each performance, and be placed at least three (3) feet distant from the footlights, at the nearest point, if gas is used.

Act drop curtain shall also be of fireproof material or materials fireproofed.

Sec. 2845. Ventilators.—In all theatres two (2) skylighted ventilators constructed of incombustible materials, having total openings equal in area to one-twentieth (1-20) the area of the stage floor, having the whole top so constructed and counter-balanced to open automatically, operated by cords or wires from at least two (2) points near the exits on opposite sides of the stage, and having an arrangement of combustible cords or fusible connections to open the ventilating valves automatically by the action of the fire on the stage, shall be placed near the center and above the highest part of the stage.

Skylight covering of ventilators shall be sheet metal frames set

with double thick glass, each pane thereof measuring not more than three hundred (300) square inches, and immediately underneath such glass there shall be a wired netting. Wired glass shall not be used as a substitute for such netting.

Sec. 2846. Scenery—Material.—All permanent and transient stage scenery, made of combustible material belonging to the building or to transient companies performing therein, shall be painted or saturated with some non-combustible material or otherwise rendered safe against fire.

Gasoline must not be used for any purpose in the building. An iron receptacle must be provided to keep therein all powder, red fire, quick matches, and other dangerous combustibles.

Sec. 2847. Dressing Rooms—Protected.—The walls separating the employee or dressing rooms from the stage shall be constructed of fireproof material. All doors in same shall be constructed of iron or wood as heretofore described and be automatic.

Sec. 2848. Seats—How Constructed.—All seats in the auditorium, excepting those contained in boxes, shall be not less than thirty-two (32) inches from back to back, and twenty (20) inches in width on the main floor or twenty (20) inches by thirty (30) inches in any balcony or gallery, measured in a horizontal direction, and shall be firmly secured to the floor. No seat in the auditorium on the main floor shall have more than six seats, in the first gallery or balcony, six (6) seats, and in the upper galleries, five (5) seats intervening between it, and an aisle leading direct without turn to within not more than four (4) feet of an exit. In assembly halls the intervening number of seats as herein provided may be increased by one (1), if the seats are fixed, but shall be decreased by one (1), if the seats or chairs are movable, and in such cases the allotted floor space shall never be less than twenty (20) by thirty (30) inches per seat or chair. In all auditoriums seating five hundred (500) and upward the seats shall be fixed. Provided, if an additional exit be placed on each side ground floor or aisles thereon, be widened two

inches, then and in that event the seats thereon may be 30 inches from back to back.

Sec. 2849. Aisles—Size—Construction.—... aisles on the respective floors in the auditorium having seats on both sides of the same, shall not be less than two and one-half (2 1-2) feet wide where they begin and shall be increased in width toward the exits in the ratio of one and one-half (1 1-2) inches to every five (5) running feet. Aisles having seats on one (1) side only, shall not be less than two (2) feet wide at their beginning and increased in width the same as aisles having seats on both sides. Where the aisles are of uniform width throughout their width shall be the average width proportioned as above, but no such aisle shall be less than three (3) feet six (6) inches wide.

Steps shall not be permitted in aisles except as extending from bank to bank of seats, and wherever the rise from bank to bank is two (2) in ten (10) or less, the floor of the aisles shall be made as an inclined plane, and where steps are placed in outside aisles or corridors they shall not be isolated, but shall be grouped together, and a light shall be placed and maintained so as to clearly light every place where there are steps in enclosing aisles or corridors.

Sec. 2850. No Stools, etc., in Aisles.—All aisles and passageways in assembly halls and theatres shall be kept free from camp stools, chairs, sofas and other obstructions, and no person shall be allowed to stand in or occupy any of the aisles or passageways, except in the foyer or space behind last row of seats or railing on first floor, during any performance, service, exhibition, lecture, concert, ball or any public assemblage.

Sec. 2851. Capacity—Fixed.—The aggregate capacity of the foyers, lobbies, corridors, passages and rooms, unless main exit open directly on street, for the uses of the audience, not including aisle space between seats, shall on each floor or gallery, be sufficient to contain the entire number to be accommodated on said floor or gallery, in the ratio of one hundred and fifty (150) superficial feet of floor room or every one hundred (100) persons

or part thereof, but no public main hall, corridor, or lobby shall be less than six (6) feet wide in any of its parts. No foyer shall open from the auditorium except through the exits.

Sec. 2852. Exits—Additional.—Every theatre accommodating three hundred (300) or more persons, shall have at least two (2) exits; when accommodating five hundred (500) or more persons, at least three (3) exits or additional exit widths shall be provided. These exits not referring to or including the exits to the open court at the side of the theatre.

All exits, exclusive of the emergency exits, in assembly halls and theatres, shall be located directly and without turn in the rear of the rear bank of seats, and within not more than four (4) feet opposite each aisle provided in each floor, balcony or gallery.

Sec. 2853. Doorways of Exits—Entrance.—Doorways of exits or entrance for the general and regular use of the public shall not be less than five (5) feet in width, and for every additional one hundred (100) persons, or portion thereof, to be accommodated, in excess of five hundred (500), an additional twenty (20) inches of exit door width and a two (2) foot increase of width for corridors lobbies or passageways shall be allowed. No single door shall be less than three (3) feet wide, but two (2) such doors may be used in lieu of each five (5) foot doorway prescribed in this ordinance, but no single door or leaf of a double door shall exceed four (4) feet in width.

No mirrors shall be so arranged as to give the appearance of a doorway, exit, hallway, or corridor, when no such doorway, exit, hallway, or corridor is really in existence at said mirrors, nor shall there be any false doors or windows giving the appearance of an opening where none really exists.

There shall be no less than one (1) exit door, not less than three feet in width, for the stage, located on opposite sides of the stage and opening directly upon a street, alley, court, courtway leading to a public thoroughfare.

Sec. 2854. Entrance—Exits—Stairways.—A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery provided its capacity be equal to the aggregate capacity of the outlets from main floor and the said gallery. Provided, that the lowermost run of any stairway leading from a gallery does not open directly at right angles with the central axis of a common exit unless there is a clear space of landing of at least one and one-quarter (1 1/4) times the width of the stairs, between the foot of such stairs and such center line or nearest exit doorway.

Sec. 2855. Passages—Size—Corridors, Stairways—Size.—No passage leading to any stairway communicating with any entrance or exit shall be less than four (4) feet in width in any part thereof.

All corridors, passageways, hallways, and stairways, leading from any balcony or gallery to any toilet room, retiring room, smoking room, check room, or private office, shall permit of free passage, without returning to an outer exit of the building. Said corridors, passageways, hallways and stairways shall be at least three (3) feet in width in every part between said balcony or gallery and said outer exit, and shall be unobstructed in every part except by doors, not less than three (3) feet in width, in the clear, which shall swing outward, and which shall be provided with no locks or catches of any kind whatever.

Sec. 2856. Entrance—First Stairway.—The entrance and first gallery or main stairway shall be in width equivalent to ten (10) inches for every fifty persons or fractional part of fifty (50) of the seating capacity of such floor or gallery, but no such stairway shall be less than five (5) feet in width in the clear, and there shall be at least two such stairways leading to the first gallery. No circular or winding stair or fire escapes for the use of the public shall be permitted.

Sec. 2857. Exits—Gallery.—Distinct and separate places of exit and entrance shall be provided for each gallery above the first, and where the seating capacity is more than one thousand (1000) people, there shall be at least two (2) independent stair-

ways, with direct exterior outlets provided for each gallery in the auditorium where there are not more than two (2) galleries, and the same shall be located on opposite sides of said galleries.

Where there are more than two (2) galleries, one (1) or more additional stairways shall be provided, the outlets from which shall connect directly with the principal exit or other exterior outlets.

Where the seating capacity is for one thousand (1000) people or less, only two (2) direct lines of stairs shall be required, located on opposite sides of the galleries, and in both cases shall extend from the sidewalk level to the upper gallery, with outlets from each gallery to each of said stairways.

All gallery stairways shall start with a width of not less than four (4) feet at the uppermost gallery and increase nine (9) inches in width instead of ten (10) inches as prescribed in Sec. 2856. Stairs from balconies and galleries shall not communicate with the basement or cellar.

Sec. 2858. Exits—Stage.—At least two (2) independent stairways or ladders, with direct exterior outlets, shall be provided for the service of the stage, and shall be located on opposite sides of the same.

There shall be iron stairways or ladders from the gridiron and from the fly galleries above the stage to a scuttle hole in the roof of the building, leading to a fire escape or to some fireproof passageway or exit.

All stairs or ladders on the stage side of the proscenium wall shall not be less than two (2) feet wide.

Sec. 2859. Stairs—Construction.—No stairs in any assembly hall or theater shall have more than twelve (12) foot run without a level landing. The outer line of landings shall be curved to a radius of at least two (2) feet to avoid square angles.

Sec. 2860. Stairways—Enclosed.—All inclosed stairways shall have, on both sides, strong hand rails, firmly secured to the

wall, about three (3) inches distant therefrom and about three (3) feet high above the stairs.

Sec. 2861. Boilers—Furnaces in.—No steam boiler or furnace which may be required for heating or other purpose shall be located under the auditorium nor any passage or stairway or exit of the building, and the space allotted to the same shall be enclosed by walls of masonry on both sides, and the ceiling of such space shall be constructed of fireproof materials. All doorways in said walls shall have fireproof doors.

Sec. 2862. Registers—Heat.—No floor register for heating shall be permitted in aisles or passageways. No coil or radiator shall be placed in any aisle or passageway used as exit, but such coils or radiators shall be placed in recesses formed in the wall or partition to receive them.

All supply, return or exhaust pipes shall be properly incased and protected where passing through floors or near woodwork. All ducts and shafts used for conducting heated air from the main chandelier or from any other light or lights, shall be constructed of metal.

Sec. 2863. Stand Pipe—Size.—Stand pipes four (4) inches in diameter shall be provided with hose attachments on every floor and gallery, as follows, namely: One (1) on each side of the auditorium in each tier, also on each side of the stage in each tier, and at least one (1) in the property room, and one (1) in the carpenter shop, if the same be contiguous to the building. All stand pipes shall be kept clear from obstruction. Said stand pipes shall be separate and distinct, receiving their supply of water direct from the street main.

Sec. 2864. Hose—Size.—A proper and sufficient quantity of one and onehalf (1 1-2) inch hose, and with nozzles attached thereto, and with hose spanners at each outlet, shall always be kept to each hose attachment, said hose to be tested at least once every twelve (12) months, under the direction of the Chief of the Fire Department.

· **Sec. 2865. Fire Extinguishers.**—There shall also be provided on the stage ten (10) three (3) gallon approved chemical fire extinguishers, and at least four (4) axes, two (2) fifteen foot hooks, and two (2) ten foot hooks; on each tier or floor of the stage.

Sec. 2866.—Lights—Building—Exits—Electric—Gas Lights—Cut-Offs.—Every portion of the building devoted to the uses or accommodations of the public, except the auditorium, also all outlets leading to the streets, including the open court and corridors, shall be well and properly lighted during every performance, and the same shall be lighted until the entire audience has left the premises. All gas or electric lights in the halls, lobby or other parts of said buildings used by the audience, except the auditorium, must be controlled by a separate cut-off, located in the lobby and controlled only in that particular place.

Sec. 2867. Gas Mains.—The gas mains supplying the building shall have independent connections for the auditorium and the stage, and provisions shall be made for cutting off the gas from the outside of the building.

Sec. 2868.—Interior Gas Lights.—When interior gas lights are not lighted by electricity, other suitable appliances, approved by the Chief of the Fire Department shall be provided.

Sec. 2869. Gas Lights—Electric Lights—Where—Construction.—No gas or electric light shall be inserted in the walls, woodwork, ceilings, or any part of the building unless protected by fireproof materials. All light in passages and corridors in said buildings, and whenever deemed necessary by the City Electrician or Chief of Fire Department, shall be protected by proper wire net works.

Sec. 2870. Foot-Lights—Stage Lights—Lime, Calcium Lights.—All foot-lights, except electric lights, in addition to the wire net works, shall be protected by a strong wire guard and chain placed not less than two (2) feet distant from said footlights and the trough within which said lights are placed, shall be formed of, and surrounded by fireproof materials. All border lights shall be

electric, constructed according to the requirements of the Board of Electrical Control, and shall be suspended for ten (10) feet by wire rope. For line lights, calcium, or arc stage lights, there shall be a competent attendant for each fifteen feet of space, to operate same, who shall be in constant attendance during the time any such light or lamps are in operation.

All stage lights, except electric lights, shall have strong metal wire guards, or screens, not less than ten (10) inches in diameter, so constructed that any material in contact therewith shall be out of reach of the flames of said stage lights, and the said guards shall be soldered to the fixtures in all cases.

Sec. 2871. Electric Lights—Arrangement—Gas, Water Pipes, Metal.—Assembly halls and theatres lighted by electric lights only shall have at least three (3) separate and distinct circuits: (a) for the stage, (b) and (c) for the auditorium, corridors and exits. The circuits referred to in (b) and (c) shall be so arranged that half of the lights in each division of the auditorium and half of those in each corridor and exit shall be on (b), and the other half on (c) circuit. When the current is supplied by a public lighting company these circuits shall be taken separately from the street mains.

Under all circumstances complete metallic circuits must be employed. Gas and water pipes shall never form a part of any circuit. The number of lamps shall be so divided that no sub-circuit shall carry any more than sixty (60) amperes, and each sub-circuit shall start from a distributing board.

Sec. 2872.—Exit—Signs—Red Lights.—Each and every exit of an assembly hall, theatre, or other public place of amusement which can be used in case of fire, shall be designated by the word "Exit" in letters of such size that they can be read from the opposite side of the auditorium or gallery, and so situated immediately over or on the exits that they can be readily seen from any part of said auditorium or gallery. A red light other than an electric light shall be placed over each of said signs and kept burning during the time of the entertainment or perform-

ance, and no other fixed red lights will be permitted in the auditorium, and the fact that such red lights indicate an exit to be used in case of emergency shall be conspicuously printed on the programme used in the theatre or other public place of amusement at each entertainment. All such exits as shall be directed by the Chief of the Fire Department shall be opened at the end of each entertainment or performance.

Sec. 2873. Stand Pipes.—The stand pipes, gas pipes, electric wires, hose, footlights, and all apparatus for the extinguishing of fire or guarding against the same, as in this ordinance specified, shall be in charge of and under the control of the Fire Department and the Chief of said department, in connection with the Inspector of Buildings and City Electrician, is hereby directed to see that the arrangements in respect hereto are carried out and enforced.

Sec. 2874. Transient Companies—Plugging Boxes.—Transient companies shall be required to furnish all necessary plugging boxes and plugs, or use house plugs and boxes, and all necessary wire for the construction of the lights carried by the company. It shall be the duty of the City Electrician to make inspection in his discretion of all electrical effects belonging to transient companies. The theatre electrician shall be a competent electrician, and shall be required to pass a satisfactory examination to be conducted by the City Electrician. He shall notify City Electrician of all transient companies that will use electrical apparatus, at least one day before the play, and on failure so to do his permit shall be revoked.

Sec. 2875. License—How Issued.—No license for theatre or assembly hall shall be issued by the City Clerk until the Chief of the Fire Department, City Building Inspector, and City Electrician shall have given their written certificate that the building for which same is desired complies with this ordinance.

Sec. 2876. Building Inspector.—The City Building Inspector shall construe this ordinance on all doubtful provisions herein in all matters regarding the construction, repairs and operation for

all buildings to be used as theatres or assembly halls, and his construction shall be binding and final.

Sec. 2877. Penalty.—Any person, firm or corporation, their agents or employees, violating any of the provisions of this ordinance, or maintaining, operating, leasing or controlling theatres or halls not constructed as herein provided, shall, on conviction in the Recorder's Court, be fined not exceeding Two Hundred Dollars (\$200.00) or imprisoned not exceeding thirty (30) days, one or both penalties to be inflicted in the discretion of the Recorder. Provided, that all buildings used or in course of construction at the time of the passage of this ordinance, as theatres, in accordance with section 2829 of this ordinance, shall have until September 1, 1906, to comply herewith.

Sec. 2878. Places of Amusement in Parks or Elsewhere—Within Police Incorporation—Shall Be Licensed—Under One Management.—Any person, firm or corporation owning, operating or conducting a park or like place, where amusements of various kinds are owned and operated—such as theatres, seating as many as 500, or small shows, merry-go-rounds, etc.—shall pay a license of \$250.00 per year, provided such parks or places of amusements shall be situated without the corporate limits of the City of Atlanta but within the sections incorporated for police purposes, and provided such amusements shall be located at one general place and under one general management, where the theatres in such parks seat less than 500, the park license shall be \$200.00.

Sec. 2879. Opera Houses and Halls—Indoor Shows—Shall Be Licensed—Panorama Exhibitions—Moving Picture Shows, Etc.—Regulation.—All theatres, opera houses or halls, where theatrical, sleight-of-hand, legerdermain or minstrel performances are held or other performance of like character, shall pay the sum of four hundred dollars pe annum, in semi-annual installments, or ten dollars for each exhibition or performance. Provided, theatres, opera houses, etc. having a seating capacity of (1,800) eighteen hundred or less shall pay a registration tax of two hundred dollars per annum payable in semi-annual installments; and

all panorama exhibitions or other shows shall pay ten dollars for each exhibition or performance; provided, that dog or pony shows be required to pay twenty-five dollars per day, and that minstrel troupes showing under a tent be required to pay a license of twenty-five dollars a performance. Electric or moving picture shows shall pay a license of \$60.00 per annum.

Sec. 2880. Construction of Theatre Doors—Penalty for Failure to Comply.—(See also chapter on Building Inspector.)—It shall not be lawful for the proprietor, or owner, of any theatre or opera house, to lease, rent, or permit to be used in any way, such theatre or opera house, unless all the doors of ingress and egress to them are so constructed as to open outward from the inside. Any person or persons violating the provisions of this ordinance shall be fined by the Recorder's Court not exceeding one hundred dollars and costs, or thirty days imprisonment in the station-house, one or both.

Sec. 2881. Aisles to be Kept Clear—Exits Marked Plainly with Large Letters—Penalty for Violation.—It shall not be lawful for the proprietor or owner of any theatre, opera house, or other house used for public amusement, to lease, rent, or permit to be used, the aisles leading to and from the seats and doors used as entrances and exits, or about or in the doorways, permanently or temporarily at any time, by persons standing therein or by the chairs, stools, or other movable seats placed therein; and all doors of exit or entrance shall be designated by large letters in plain view of the audience. Any person or persons violating this section shall be punished by fine not to exceed five hundred dollars, or imprisonment not longer than thirty days, in the discretion of the Recorder's Court.

Sec. 2882. Ladies Required to Remove Their Hats in Opera Houses and Theatres and Moving-Picture Shows.—Vaudeville.—It shall be the duty of the proprietor, lessee, or other person in charge of each and every opera house or theatre, or moving-picture shows, vaudeville performances or similar exhibitions, in the City of Atlanta, to require ladies, who attend performances in

such theatre or opera house, to remove their hats before the performance begins, and to keep them off during the performance.

Sec. 2883. Penalty for Failure to Require Ladies to Remove Hats.—Any such proprietor, lessee, or other person in charge of an opera house or theatre, who shall violate the preceding section, upon conviction shall be fined in the Recorder's Court not exceeding one hundred dollars, or imprisoned not exceeding thirty days.

Sec. 2884. Owners of Theatres—Construction of Interior.—The owners of all opera houses, theatres, and public places of amusements, where an orchestra is used, shall have a railing placed around said orchestra and a passage-way or aisle of not less than two feet between said railing and all seats shall be kept open, as required by the above section of this City ordinance.

Sec. 2885. Speculators in Theatre Tickets—License Five Hundred Dollars—Penalty for Violation.—No person shall be permitted to speculate in tickets for theatrical or other like performances, without first taking out a license from the City Clerk, which license shall be five hundred dollars per annum. Any person violating this section shall be punished, on conviction before the Recorder's Court, by a fine of not less than one hundred dollars and costs, and imprisoned not less than thirty days for each offense; but the Mayor shall have power, in his discretion, to remit the penalty of imprisonment.

Sec. 2886. Gas in Hotels and Boarding Houses Not Cut Off—Except When—Penalty for Violation.—It shall not be lawful for the proprietor or proprietors (either themselves or by their employees) of any hotel or boarding house in the City of Atlanta, where any kind of gas is used in bedrooms for lights, to cut the gas off at any time during the night, except in cases where the premises may be on fire. Any proprietor or proprietors of any hotel or boarding house violating this section shall, on conviction before the Recorder's Court, pay a fine not exceeding one hundred dollars for each and every violation. It shall be the duty of the Chief of Police to see that this ordinance is enforced.

ELECTRIC THEATRES.

Sec. 2887. Electric Theatres—Moving Pictures—Permits—Construction.—Electric theatres or auditoriums, where moving pictures are displayed, hereinafter called electric theatres, shall not be constructed, fitted up, operated or licensed until a permit therefor has been issued by the Building Inspector and City Electrician. Said officers are hereby directed and authorized to issue such permits for electric theatres provided they are constructed in accordance with plans approved by them and which plans secure the safety of persons patronizing them.

Sec. 2888. Wiring—Condemned—Superintendent of Electrical Affairs.—All wiring in such theatres shall be installed under the direct supervision of the Superintendent of Electrical Affairs, and where he condemns any such wiring, same shall be reinstalled under his direction and approval and where he condemns wiring hereinafter installed, and in all cases where the owners or operators of such electric theatres refuse to conform to the directions of the Superintendent of Electrical Affairs, in matters herein mentioned, the license therefor shall be ipso facto void and such electric theatres shall be immediately closed as unsafe for patronage.

Sec. 2889. Fuses—Enclosures—Space.—All fuses used in connection with lights illuminating the parts of the house, room or auditorium used by the audience, must be installed in fire-proof enclosures, so constructed that there will be a space of at least six inches between the fuses and the side and face of enclosure.

Sec. 2890. Exits—Signs—Illuminated—Location—Size.—All exits shall be plainly indicated by a sign, same to be illuminated by other than electricity, and bear the word "Exit," the letters of which must not be less than four inches in height. Exits must be placed at that end of the auditorium opposite the operating room. No exit to be less than three feet wide, unless two such exits shall be used, then each not to be less than two feet wide.

Sec. 2891. Inside Lights—Halls—Fed—Control—Circuits.—Inside lights and all lights in halls, corridors or any other part

of the building used by the audience, except the general auditorium lights, must be fed independently of the stage light and must be controlled only from the lobby or other convenient place in the front of the house, and there must be two circuits into the auditorium, one controlled by the operator in the booth and one controlled from without the auditorium; in lobby or without the auditorium entrance. For the purpose of illuminating the auditorium during the performance, there shall be not less than one-eighth (8) candle-power lamp to each three hundred (300) square feet of floor surface, to be kept burning during all performances.

Sec. 2892. Building—Exits—Lights—Time.—Every portion of the building to the use of or the accommodation of the public, all outlets leading to the streets, all open courts, corridors, hallways and exits shall be thoroughly lighted during every performance and the same shall remain lighted until the entire audience has left the premises.

Sec. 2893. Machine—Enclosure—Size—Openings—Automatic—Material.—The picture machine must be placed in an enclosure or house made of or lined with fire-proof material, thoroughly ventilated and large enough for the operator to walk freely on either side or back of the machine. Such enclosure or house must have no openings into the auditorium other than the opening where the light for the picture is emitted and this must be provided with a fire proof door hinged with spring hinges opened by a trigger which is in reach of the operator so it can be released by hand, and which door must be constructed so that it can be securely closed. Furthermore, if the Superintendent of Electrical Affairs or Building Inspector decide that the arrangements are such as would require it, such door must be so arranged that it can be released automatically. All other openings, such as vents and entrances to the enclosure, must open into some other part of the building or theatre than the main auditorium. No material of any kind will be permitted in the operating booth other than the picture machine and its accessories.

Sec. 2894. Operating Room—Who Allowed in.—Only the following persons will be permitted in the operating-room: City

Electrician, Superintendent of Electrical Affairs, Building Inspector, manager of the theatre, and the operator who has charge of the machine.

Sec. 2895. No Smoking or Drinking There.—No smoking or drinking will be permitted in the operating room.

Sec. 2896. Films—How Kept.—Only one extra film will be allowed in the operating room and that must be kept in a metal-lined box having a tight fitting cover.

Sec. 2897. Machines—Kinds Allowed—Equipment—Wire—Capacity.—Every machine used as a moving picture machine must be approved by the National Board of Fire Underwriters and be equipped with film guards and automatic shutter controlled only by the operating of the machine. All machines must be fed by a wire having a carrying capacity of not less than No. 6 B. S. gauge. Motor driven machines will not be permitted.

Sec. 2898. Reels—Encased—Iron Box—No Solder.—Both reels must be encased in an iron box, which box has a hole at the bottom only large enough for the film to pass through. No solder to be used in the construction of this box.

Sec. 2899. Rheostats—Requirements—Space—Asbestos Protection.—Rheostats must conform to rheostat requirements as directed by the Superintendent of Electrical Affairs and must not be placed inside of the auditorium or operating room. There must be at least six (6) inches air space between the rheostat and any wood. All wood within eighteen (18) inches must be protected by asbestos of not less than one (1-8) inch thickness.

Sec. 2900. Operators—Examinations—Two Classes—Age—Requirements—Card—Revocation.—It shall be unlawful for any person to operate a moving picture machine until after he has passed the examination provided for this purpose by the Building Inspector and the City Electrician and has received a certificate showing that such examination has been passed.

Operators shall be divided into two classes, to be known as operators and assistant operator.

Any person receiving 75 per cent. or higher in the examination shall be claimed as an operator, any person receiving above 40 per cent. shall be classed as an assistant operator.

No operator can be employed as an operator at more than one electric theater at the same time.

Every electric theater shall employ at least one licensed operator.

No person shall receive an operator's license unless he be 21 years of age or older, assistant operators shall be at least 18 years old.

Every operator when operating a machine shall keep his certificate of examination with him and show it upon request.

The operator shall be held responsible for the condition of the operating room where he is employed, and upon conviction in the Recorder's Court for violating any part of this ordinance, his license shall become void.

Sec. 2901. Examination—Fee—Expirations—Renewal.—The examination fee shall be \$5.00 payable through the City Clerk's office to the City Tax Collector and shall constitute the first year's license which shall expire on the 30th day of June following issuance of such license. Renewals of above license shall be \$1.00 per year.

Sec. 2902. Board of Examiners—How Appointed.—The Building Inspector and Superintendent of Electrical Affairs shall have the power to appoint such person as they find necessary to compose a board of examiners, one member of this Board shall be a practical moving picture man.

Sec. 2903. Second Examination—Time.—Any person failing to pass the examination shall wait at least forty-five (45) days before be given a second examination.

Sec. 2904. Operator's Name on Slide—Thrown on Curtain.—The operator must provide a slide with his name or number on it to be thrown on the curtain at every complete show.

Sec. 2905. Films—Kinds Shown—Patches Prohibited.—Films shall be either first run (not over one week old) or first class commercial. Side patched films will not be permitted to be used. Cross patched must not be over one and one-half (1 1-2) sprocket hole lap.

Sec. 2906.—Seats—Chairs—Aisles—Size.—No more than six chairs shall be permitted in a row without an aisle intervening. This does not prohibit twelve chairs in one row with an aisle on each end. Center aisles shall not be less than thirty-six (36) inches wide, side aisle not less than thirty (30) inches. Seats shall not be less than twenty-eight (28) inches from back to back and shall be fastened securely together and to the floor.

Sec. 2907. Stoves Prohibited.—No stoves shall be permitted in the auditorium for heating or other purposes.

Sec. 2908. Penalty.—Any person, firm or corporation, their agents or employees, constructing, operating or managing electric theatres, in violation of any of the terms of this ordinance, shall on conviction in the Recorder's Court, be punished by a fine of not exceeding \$100.00 or imprisoned upon the public works not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

CHAPTER XCI.

TREASURER.

Sec. 2909. Oath—Bond—Salary—Of Treasurer.—The Treasurer, before he enters on the duties of his office, shall take and subscribe the usual oath, and shall give bond, with two or more good and sufficient securities, in such sum as the Mayor and General Council may fix, but not less than the minimum sum named in the Charter, and receive for his services such compensation per annum as shall be fixed by the Mayor and General Council before his election, which shall not be changed during his term, and shall do all such services in his department as may be pointed out in the ordinances of said City.

Sec. 2910. Duties—Keeps Books—Submit Reports—How Often—Pays Out Money—How.—The Treasurer shall keep a fair book of entry of all sums of money he may receive and pay out, and shall furnish the Mayor and General Council with a detailed report of all receipts and expenditures, and the different orders, upon which money had been paid out by him, and all the different sources through which he has received money; this report he shall submit to the General Council every three months, and his books shall at all times be subject to the inspection of the Committee on Finance. He shall pay out no money but upon orders properly passed up, and drawn up and signed by the Comptroller, and countersigned by the Mayor, or in his absence, or disability to act, the Mayor pro tem. And he shall make daily reports to the Comptroller of all moneys paid to him and disbursed by him, and from whom received, and to whom paid, and on what account received or paid.

Sec. 2911. City Treasurer Deposits Excess in Four Banks Named—Conditions. Whenever the money in the hands of the City Treasurer shall exceed the sum of five thousand dollars,

such excess of money shall be deposited in the Maddox-Rucker Banking Company, the Fourth National Bank, the Lowry National Bank and the Atlanta National Bank in equal proportions of one-fourth to each of said banks, for and during the year nineteen hundred (1907) and seven; Provided, each of the said Banks shall, before any of the said money is deposited with them, execute separate contracts to receive said deposits, when offered as above provided, and to pay a rate of interest thereon equal to two per cent per annum on daily balances in their banks to the credit of the City of Atlanta, and shall give good security, subject to the approval of the Mayor, for the faithful accounting to the City of Atlanta for all money so deposited.

Sec. 2912. Deposits One-Fourth With Each Bank. Be it further ordained that the Treasurer shall deposit with the said banks each day, all money in his hands belonging to the City of Atlanta, in excess of five thousand dollars, and keep his accounts of same in regular deposit books, depositing one-fourth of such excess with each of said banks.

Sec. 2913. Warrants Drawn in Substantially Equal Amounts—By Whom Optional as to Drawing Whole Amount. Be it further ordained that the Mayor and Comptroller shall issue warrants upon said Banks payable to the Treasurer, to pay the debts or current expenses of the City of Atlanta, as the same may be necessary, such warrants to be drawn in substantially equal amounts upon each of said banks, or withdraw the whole of said deposits from either or all of said banks, whenever the Mayor and General Council shall so direct.

Sec. 2914. Certificate of Registration by Treasurer. The Treasurer of the City of Atlanta be, and is authorized to issue the following certificate of registration concerning any bonds issued by the City of Atlanta, and presented to him by any National Bank for said registration, and to record in a book kept for that purpose all bonds so presented for registration, and in this case, provided it shall not be necessary for the Treasurer of the City of Atlanta to detach the interest coupons, and the certificate hereafter described is so stamped, and the blanks therein properly

filled out upon the back of each bond so registered. Such certificate shall be as follows:—

"This is to certify that Bond number.....for One Thousand Dollars.....bearing.....interest issued by the City of Atlanta on the.....day of.....is registered in the name of the Treasurer of the United States, and his successors in office, in trust for.....at the office of the Treasurer of the City of Atlanta, at Atlanta, Georgia; and is transferrable only on the surrender of this certificate properly endorsed, accompanied by the bond herewith registered.

"In Witness Whereof I.....Treasurer of the City of Atlanta, have hereunto subscribed my hand and affixed the seal of the City of Atlanta, this the.....day of.....190.....

TREASURER OF THE CITY OF ATLANTA.

(Seal)

(A true copy of the entry on the back of the above described bond.)

Attest:

.....

Sec. 2915. Treasurer Cancels Registration—Certificate Stamped.—The Treasurer of the City of Atlanta is hereby authorized, upon the presentation to him for such purpose of such bonds, by the National Bank, to which the same has been assigned by the Treasurer of the United States, to cancel such registration, and the certificate hereinafter described shall be stamped, and the blanks therein properly filled out upon the back of each bond so presented:—

"This is to certify that the registration of the.....day of.....19... of bond Number.....for One Thousand Dollars, bearing.....interest is hereby cancelled, and this bond is hereafter payable to bearer. In Witness Whereof, I.....Treasurer of the City of Atlanta,

have hereunto set my hand and affixed the seal of the City of Atlanta this.....day of.....19....

.....

Treasurer of the City of Atlanta."

And thereupon such registration shall be absolutely cancelled, and such bond be in all respects as if the same had never been registered, and the Treasurer of the City of Atlanta shall enter such cancellation upon the record of such former registration, and the City shall be thereby relieved from any liability on account of the former registration.

CHAPTER XCII.

WAGON YARDS.

Sec. 2916. Wagon Yards Must Have License—How Obtained—Amount. Wagon yards may be licensed by the Mayor and General Council upon petition for which the applicant shall pay the amount provided in the tax ordinance annually.

Sec. 2917. Violation—Penalty. Any person, who shall permit anyone to encamp with a wagon, or other vehicle and team, on his or her lot, it not being a regular wagon yard, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in discretion of the Recorder's Court; and the person or persons so encamping shall be liable to the same penalty.

Sec. 2918. Regulation—Painted Sign Over Entrance to Yard—Contents. It shall be the duty of all owners or keepers of wagon yards in the City of Atlanta to give public notice, by painted signs on the gate of said wagon yard, to the following purport: "Drunkenness, violence, and indecent or obscene language forbidden, under the penalty of not exceeding one hundred dollars fine, or not exceeding thirty days imprisonment or both."

Sec. 2919. Drunkenness—Violence—Indecent or Obscene Language—Punishable—Penalty. Any person guilty of drunkenness or violence, or of the use of indecent or obscene language, in or near any wagon yard, shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the Recorder's Court.

Sec. 2920. Supervision of Wagon Yards by Police—Arrest Violators. It shall be the duty of the police force to have all wagon yards under their special supervision, until the hour of ten o'clock P. M. and to arrest all and every person or persons guilty of a violation of this ordinances, and bring him or them before the Recorder's Court.

CHAPTER XCIII.

WARDS.

Sec. 2921. Terms Defined.—The following language, as used in this ordinance, shall be understood to have the meaning hereto affixed.

In defining lines as running along streets, it is understood that the center of the streets is intended unless otherwise changed by special language.

In describing streets as intersecting, it is understood that the point of intersection is where the center line of one street intersects with the center line of the other street.

Where land lots are mentioned, it is understood that the same lie within the 14th District of Fulton County, Georgia, except such land lots as are described as lying in other districts.

Sec. 2922. First Ward Lines Of.—The First Ward shall be defined by metes and bounds as follows: Beginning at a point in the center of Simpson Street where said street intersects the western limits of the City, and running thence in an easterly direction along Simpson Street to the western line of the right of way of the Western & Atlantic Railroad Co., thence along the western line of said right of way, in a southeasterly direction, to Whitehall Street; thence in a southwesterly direction along Whitehall street to the east side of right of way of the Central of Georgia Railway Company; thence northeasterly to the center of the eastern terminus of Park Street; thence westwardly along the center of Park Street to Hammond Street; thence northwestwardly along Hammond street to Lawn Street; thence eastwardly along Lawn Street to Ella Street; thence westwardly along Ella Street to Lee Street; thence north along Lee Street to Greensferry Avenue; thence westwardly along Greensferry Avenue to Ashby Street; thence north along Ashby Street to West Hunter Street; thence westwardly along West Hunter Street to the west line of the right of way of the L. & N. Railroad Company, thence northeastwardly along the west line of said right of way to the beginning point.

Sec. 2923. Second Ward—Lines Of.—The Second Ward shall be defined by metes and bounds as follows: Beginning at a point in the center of Whitehall Street where said street intersects with the southern lines of the right of way of the Western & Atlantic Railroad Company and running thence in an easterly direction along the south side of the rights of way of said railroad and the Georgia Railroad & Banking Company to Butler Street thence southwardly along Butler Street and Central place to Capitol Avenue; thence south along Capitol Avenue to the northern line of the right of way of the Southern Railway Company; thence southeast along the northern line of said right of way to the south line of Miller Reed Avenue; thence westwardly along the south line of said avenue to its present terminus; thence west to the south line of Brown Street at its eastern terminus; thence west along the south side of Brown Street to the west line of Land Lot 57; thence north along the west Land Lot lines of Land Lots 57 and 58 to line of City limits; thence westwardly along City Limits to McDaniel Street; thence along McDaniel Street, northerly to Whitehall Street; thence along Whitehall Street, in a northeasterly direction to the beginning point.

Sec. 2924. Third Ward—Lines Of.—The Third Ward shall be defined by metes and bounds as follows: Beginning at a point in the center of Butler where said street intersects the south side of the right of way of the Georgia Railroad and Banking Company and running along the south side of said right of way eastwardly to the west line of the western boundary of the right of what is known as the A. & W. P. Railway Company's Belt Line; thence southeastwardly and southwestwardly along the west line of said right of way to a point five hundred feet east of Hill Street; thence south, parallel with Hill Street to the northeast line of the right of way of the Southern Railway Company; thence northwest along said northeast line of said right of way to Capitol Avenue; thence north along Capitol Avenue to Central Place; thence northeast along Central place and Butler Street to beginning point.

Sec. 2925. Fourth Ward—Lines Of.—The Fourth Ward shall be defined by metes and bounds as follows: Beginning at a point

where Tenth Street intersects Bedford place, in the center thereof, and running thence east along Tenth Street to the eastern boundary of the right of way of the Southern Railway Company, thence following the eastern boundary of said right of way, in a southeasterly and southwesterly direction, to the south line of the right of way of the Georgia Railroad & Banking Company, thence westwardly along the south line of said right of way to Butler Street; thence northerly along Butler Street to North Avenue; thence east along North Avenue to Bedford place; thence northerly along Bedford place to the point of beginning.

Sec. 2926. Fifth Ward—Lines Of.—The Fifth Ward shall be defined by metes and bounds as follows: Beginning at a point in the center of Simpson Street where same intersects with the western line of the right of way of the Western & Atlantic Railroad Company and running thence in a northwesterly direction along the western line of said right of way to North Avenue; thence eastwardly along North Avenue to State Street; thence northerly along State Street to Hemphill Avenue; thence in a northwesterly direction along Hemphill Avenue to the City Limits; thence in a westerly and southerly direction along said City Limits to the south line of the right of way of the Western & Atlantic Railroad Company; thence northwestwardly along the south-west side of said right of way to the west land lot line of Land Lot 189, in the 17th District of Fulton County; thence south along the west land lot line of Land Lot 189 to the City Limits, as fixed by the act of 1908; thence south and southeasterly along said City Limits to Simpson Street; thence east along Simpson Street to the beginning point.

Sec. 2927. Sixth Ward—Lines Of.—The Sixth Ward shall be defined by metes and bounds as follows: Beginning at a point in the center of North Avenue, where said Avenue intersects the western line of the right of way of the Western & Atlantic Railroad Company, and running thence northeasterly and easterly along North Avenue to Butler Street; thence south and southwestwardly along Butler Street to its intersection with the south line of the right of way of the Georgia Railroad & Banking Company, thence northwestwardly along the south and west lines of the rights of way of the Georgia Railroad & Banking

Company and the Western & Atlantic Railroad Company to beginning point.

Sec. 2928. Seventh Ward—Lines Of.—The Seventh Ward shall be defined by metes and bounds as follows. Beginning at a point where the south land lot line of Land Lot 107 intersects the east line of the right of way of the Central of Georgia Railroad Company; thence running west along said land lot line and the south land lot lines of Land Lots 118 and 139 to the south west corner of Land Lot No. 139, thence running north along the west Land Lot Lines of Land Lots 139 and 140 to the limits of said City, as fixed by the act of 1908; thence following said limits in a northwesterly, north and east direction until same reach the western line of the right of way of the L. & N. Railroad Company; thence southwestwardly along the western line of said right of way to Hunter Street; thence eastwardly along Hunter Street to Ashby Street; thence southwardly along Ashby Street to Greensferry Avenue; thence eastwardly along Greensferry Avenue to Lee Street; thence southwardly along Lee Street to Ella Street; thence southeasterly along Ella Street to Lawn Street; thence southwesterly along Lawn Street to Hammond Street; thence southeasterly along Hammond Street to Park Street; thence eastwardly along Park Street to its eastern terminus; thence from the center of the eastern terminus of Park Street in a southwesterly direction to the east line of the right of way of the Central of Georgia Railroad Company at point where center of Whitehall Street intersects same the following lines, last mentioned, following the boundary of the First Ward, thence southerly along the eastern line of said right of way to the beginning point. Commencing at a point on the south line of the Westwood Park Company's property where said south line crosses the west line of land lot 139 of the 14th District of originally Henry, now Fulton County, Georgia, and running thence west along south line 1000 feet; thence in a northerly direction and in a straight line to the southeast corner of the Westview Cemetery Company's property near Gordon Street; thence northerly and along the line of Westview Cemetery Company's property to the center of Gordon Street; thence southeasterly and along the center of Gordon Street to the west line of land lot 140 of said District; thence south to the point of beginning.

Sec. 2929. Eighth Ward—Lines Of.—The Eighth Ward shall be defined by metes and bounds as follows: Beginning at a point in the center of State Street where same intersects North Ave. and thence running northwardly along State Street to Hemphill Ave; thence northwesterly along Hemphill Ave. to City Limits as fixed by the act of 1908; thence east following said limits to a point two hundred feet west of the west side of East Street; thence north parallel with East Street to a point 200 feet west of East Street and in line with the north line of Woods Avenue or Sixteenth Street, if same was projected from its present terminus in a westerly direction; thence east along said projected line and the north line of Woods Avenue or Sixteenth Street, to City Limits as fixed by act of 1908; thence following said City Limits to Tenth Street; thence along Tenth Street, west, to Bedford Place; thence south along Bedford Place to North Avenue, thence west along North Avenue to beginning point.

Sec. 2930. Ninth Ward—Lines Of.—The Ninth Ward shall be defined by metes and bounds as follows: Beginning at a point on the east line of the right of way of the Southern Railway Company, where same intersects the north line of Land Lot No. 17; thence following the city limits, as fixed by the acts of 1908 and 1909 in easterly, southerly and westerly direction until same intersects with the west line of the right of way of what is known as the A. & W. P. Railway Belt Line; thence in a northerly direction, along west line of said right of way and along the west line of south-west line of the western branch of said Belt Line connecting with the Georgia Railroad & Bkg. Company, to the south line of the right of way of the Georgia Railroad & Banking Company; thence westerly along the south line of said right of way to its intersection with the east line of the right of way of the Southern Railway Company, or to the line of the Fourth Ward, as above defined; thence northerly along the east line of the right of way of the Southern Railway Company to beginning point.

Sec. 2931. Tenth Ward—Lines Of.—The Tenth Ward shall be defined by metes and bounds as follows: Beginning at the north-west corner of Land Lot 119 and running thence south along the west land lot line of said land lot to a point one-half mile west from center of the Central Railroad tracks or

where the present limits of Oakland City cross said land lot line; thence southerly parallel with said railroad tracks to the west side of the gate on the north side of the United States Army Post, known as Fort McPherson, being a part of the line of what is now known as Oakland City; thence east along the north line of said Fort McPherson land to its northeast corner, being also a part of the boundary of what is now known as Oakland City; thence southerly along the east side of said Fort McPherson land to a point opposite the south line of what is known as the H. L. Haralson land, being the description used in the incorporation of Oakland City by an act of the General Assembly found in Georgia Laws of 1894, pp. 175; thence east across the Central Railroad, along the boundary of what is now known as Oakland City, and continuing in a straight line along said boundary and beyond its present terminus, to the east land lot line of Land Lot No. 122; thence north along the east land lot line of Land Lot 122, 121 and 120 to a point thereon one fourth mile east of the center of the Central Railroad track, or where it intersects what is known as the eastern boundary of Oakland City; thence northeasterly in a line parallel with said railroad tracks and one-fourth mile east thereof, or along the line of the boundary of what is now known as Oakland City to the southern line of the right of way of what is known as the A. & W. P. Railroad Company's Belt Line; thence easterly along the southern line of said right of way to McDaniel Street; thence northerly along McDaniel Street to Whitehall Street; thence southwesterly along Whitehall Street to the east line of the right of way of the Central of Georgia Railway Company; thence southerly along the east line of said right of way to its intersection with the south land lot line of land lot 107; thence west along the south land lot lines of land lots 107 and 118 to beginning point.

Sec. 2932. New Wards Confirmed.—The action of the City in re-districting the several wards, is ratified and confirmed and made effective, under the amendments to the Charter of the City of Atlanta passed at the last session of the General Assembly of the State of Georgia, extending the City limits so as to include the territory described in said ordinance and re-districted by said ordinance into ten wards.

Sec. 2933. Ward Organization and Representation Extended to the Ten Wards.—All of the ordinances of the City providing for ward organizations and representations shall be made applicable to the ten wards as above provided, and said wards shall be entitled to all representations accorded to the several wards under the previous ordinances and Charter of the City of Atlanta.

Sec. 2934. All Citizens Eligible for Office—to Vote—Must Vote in Own Ward.—In all elections the citizens from any of the territory above described shall be eligible to be voted for any positions to be filled in City elections, either Mayor, Alderman, Councilman, or other City offices, subject to the restrictions applying to the qualifications for any of said offices; and the citizens residing in said territory, either the former or the annexed territory, are hereby ordained to be qualified to vote in City elections, provided, they are otherwise qualified by law, and have registered, according to existing ordinances, to vote therein and provided, further, that such voter shall cast their votes within their several wards and comply with all the ordinances governing City elections.

Sec. 2935. Each Ward Has One Alderman and Councilman, and Equal Representation on Boards.—Each of the ten wards, as above provided, shall be entitled to one Alderman, and two Councilmen, and each of said wards shall likewise be each entitled to representation on the Boards, Commissions and Departments of the City, as the present and future ordinances may provide, and in all the ordinances of the City having references to fire, sanitation, schools and other public purposes, so far as providing for ward benefits or improvements, or otherwise, are hereby made applicable to each of the ten wards as above provided.

Sec. 2936. Power and Authority of City Extended Over All the Wards—Same as to officers, and Ordinances.—The power and authority of the City of Atlanta, under the present Charter, ordinances and all laws appertaining to the City of Atlanta as a municipality, are hereby extended over and made effective in

every part of the territory covered or included within the limits as above described; and the power and authority of the officers of the City are made co-extensive with the limits as above set forth and all other rights and powers necessary to carry out and enforce the laws and ordinances of the City are likewise extended over all of said territory.

Sec. 2937. Taxation—Assessments—Executions—Sales—Apply to all Territory.—The power of taxing property, taxing and regulating license for business, assessing property, issuing executions therefor and, in default of payment, selling the property thereon, as now prescribed by the Charter and ordinances of the City, are hereby extended to all of the territory as above set forth.

Sec. 2938. Boards—Departments—Officers—Bond Liability—Extended to all Territory.—The power of the Board of Health, Police Department, City Tax Assessors and Receivers, Tax Collector, Marshal, Clerk of Council, Recorder, Building Inspector and all the other officers of the City are hereby extended to and made co-extensive with the new limits of the City of Atlanta, or the territory as above described as fully and completely as they now exist under the old limits and under the former provisions of the Charter, laws and ordinances governing the City of Atlanta and all of said territory is likewise made subject to the payment of all bonds heretofore issued by the City and bound therefor equally with the former territory of the City.

CHAPTER XCIV.

WATERWORKS.

Sec. 2939. Board of Water Commissioners—Election—By Whom—Terms.—The Board of Water Commissioners shall consist of one member from each Ward, besides the Mayor and Chairman of Committee on Waterworks who are each ex-officio members. They shall be elected as vacancies occur by expiration of terms, at the second regular meeting in December each year, of the Mayor and General Council, and shall hold office for three years.

Sec. 2940. Water Receipts—How Collected—Daily Reports—To Whom. The Secretary of the Water Board shall make out a book, containing the name, amount etc. each water consumer is due the City; said books shall have two stubs, and both stubs and receipt shall be numbered alike, and, when the consumer desires to pay the same, the Secretary shall write up the stubs and receipt, verifying same on each stub and receipt. He shall retain one stub to keep his accounts, and turn over the other stub and receipt to the Tax Collector, who shall collect and enter them upon his books. The Secretary shall make daily detailed report of receipts, also monthly reports so turned over, to the Comptroller, who shall hold the Tax Collector responsible for their collection, and the Tax Collector shall also make daily detailed reports to the Comptroller, accompanied with said stubs for verification. The Tax Collector shall receive credit, and the Treasurer be debited, upon exhibition of receipt of deposit of same, which shall be made daily. The Collector and Treasurer shall also make monthly reports to the Comptroller.

Sec. 2941. Money Collected—By Whom—How Disposed of—By Whom—Sinking Fund. All money collected from water rents, and any other income from said waterworks, shall be paid, as collected, to the Tax Collector of the City of Atlanta, and the

payments reported daily to the Comptroller; and all necessary funds to carry on the waterworks shall be paid out of the City Treasury, upon orders granted by the Mayor and General Council, which orders must be predicated on requisitions, in writing, from the Board of Water Commissioners; provided, that the Board shall exercise no controll over the waterworks sinking fund.

Sec. 2942. Estimate and Appropriation for Waterworks—Estimate Filed With Whom—Appropriation Shall not Exceed Annual Income—Except. It shall be the duty of the said Board, by the first meeting in May of each year of the Mayor and General Council, to be filed with said body an estimate of the probable receipts from water rents and other income, and of the amount necessary to run such waterworks during the current year; and the Mayor and General Council shall, at the same time other appropriations are made, make such appropriations and set apart such amount for the operation and maintenance of said waterworks as may be necessary for their economical and successful operation, provided said amount, except in cases of emergency (to be judged by the Mayor and General Council) shall not exceed the annual income of the waterworks; and shall pay out the same, upon requisition of said Commissioners, as it shall be needed and called for.

Sec. 2943. Interfering With Founts, Hydrants Etc.—Penalty. Any person or persons injuring or interfering with the public founts, hydrants, or any other appurtenances of the waterworks in the public streets of this City, between the City and the waterworks, or at the waterworks, shall on conviction, be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both in the discretion of the Recorder's Court, for each offense.

Sec. 2944. Obstructing or Covering Up Water Meters—Penalty. It shall be unlawful for any person, firm, or corporation, their agents or employees, to obstruct, cover up, or hide water meters, where same are constructed on sidewalks, whereby the inspectors or meter readers cannot find or get to such meters,

and their work is intererred with, and such person, firm, or corporation, agent or employee thereof, violating this ordinance shall on conviction in the Recorder's Court be fined not exceeding \$50.00 or imprisoned thirty days, or put to work on the public works not exceeding thirty days, in the discretion of the Recorder.

Sec. 2945. City to Repair Water Meters—Owners Furnish Broken Parts.—The City of Atlanta shall keep all water meters in repair free of cost to property owners; provided, that the owners of meters shall furnish broken parts at their own cost, it being the intention of this ordinance to provide for the repair only of wear and tear caused by time and use, and this ordinance shall be enforced under such rules and regulations as the Board of Water Commissioners may enact.

Sec. 2946. Permit Issued—Return of All Work Must Be Made—Only Work Named in Permit Shall be Done—Plumber Violating, Penalty.—After an applicant or his agent has complied with the regulations of the Department of Waterworks, and a permit has been issued for the installation or construction of proper connections between the premises named, and the system of waterworks, the plumber or his agent, or whoever has charge of doing the actual work of connecting said premises as aforesaid, shall make a return of all work done by him or them upon the premises so connected. In no case shall connection be made between the system of waterworks and any other premises than those set out and described in the permit without further application, and the return shall fully describe all premises and houses thereon, upon which work has been done, or connection has been made, by said plumber, or his agent, or such other person.

Any plumber, or his agent, or any other person, who shall violate the foregoing provisions, shall, on conviction in the Recorder's Court, be punished by fine not exceeding \$200.00, or imprisoned not exceeding thirty days, one or both punishments to be inflicted in the discretion of the Recorder.

Sec. 2947. Owner or Tenant—Shall Not Violate Themselves—Shall Not Permit Violation—Subject to Same Penalty.—It shall

be unlawful for any owner, or his agent, or a tenant of property, to violate themselves, or allow or permit the provisions of Section 2946 to be violated upon his premises, or to confederate or aid or abet any violations thereof, and any person so offending shall be subject to the same penalty provided in preceding section for a violation thereof.

Sec. 2948. Three Days Notice Requisite before Cutting Off Water.—The Board of Water Commissioners is required to give three (3) days' notice to the consumers of water before cutting off their water supply.

Sec. 2949. Injuring Founts or Hydrants of Old Artesian Well Punishable—Penalty.—Any person, who shall, in said City, injure or interfere with the public founts, hydrants, or any other appurtenances in the artesian well, or any system of supplying water, or willful waste of water therefrom, shall, on conviction thereof, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the Recorder's Court.

Sec. 2950. Hydrant Keys—Who May Have and Use.—It shall be unlawful for any person, other than an employee of the Waterworks Department of the City of Atlanta, to have in his possession or use any key for turning water on or off from any fire hydrants, except such keys as may be furnished by the Waterworks Department to the Sanitary, Fire, or Street Departments of the City of Atlanta.

Sec. 2951. Hydrant Keys Made and Numbered—Furnished to the Other Departments—Receipts Taken—Persons Receipting Responsible.—The Waterworks Department shall have hydrant keys made and numbered, and furnish the same to the Sanitary, Fire and Street Departments in such numbers as may be needed by them for their use, taking a receipt for each key so furnished, and the person giving such receipt shall be held responsible for the custody and use of such key.

Sec. 2952. Other Persons Having or Using Such Keys—Penalty.—Any person, firm, or corporation, which shall have in its possession or use any key to any fire hydrant in the City of Atlanta, and not receipted for in accordance with the above section, and any person using a key to any of the fire hydrants, other than an officer or employee of the Waterworks, Sanitary, Fire or Street Departments, shall be subject to a punishment, upon conviction before the Recorder's Court of the City of Atlanta, with a fine not to exceed one hundred dollars, or imprisonment not exceeding thirty days, at the discretion of the Recorder's Court.

Sec. 2953. Unlawful to Interfere With or Tap Water Mains—Pipes—Reservoirs Etc.—Penalty for Such—A Misdemeanor. It shall be unlawful for any person, firm or corporation, to interfere, or in any way intermeddle with wells, reservoirs, basins, or with the water in the same or with the water mains, pipes, plugs, meters, or connections in or out of the City of Atlanta, of the waterworks of the said City, or to make any connections therewith by tapping any of said mains, or pipes, or otherwise, without the knowledge and permission of the authorities of the Water Board of the City of Atlanta; or to their premise or premises in their possession and control as owners, agents, tenant, or otherwise, or to knowingly use the water from such unauthorized connections. Any person violating this section shall be deemed guilty of a misdemeanor, and, upon conviction in the Recorder's Court, shall be fined in a sum of not more than one hundred dollars, or imprisoned in the City Stockade not over thirty days, or both, in the discretion of the Recorder's Court.

Sec. 2954. Introduction of Water—Application Necessary. Water shall not be introduced into any premises without application having been first made at the waterworks office, and granted officially.

Sec. 2955. Application Made by Owner or Authorized Agent. Every application must be made by the owner of the property to be benefited, or his or her authorized agent, according to the form prescribed by the Board of Water Commissioners.

Sec. 2956. Application Granted—Conditions. Application shall only be granted upon the condition that the owner of the property to be benefited shall pay for each tap for the first twelve months the sum of not less than eighty cents per month, subject to discount of twenty-five per cent, if paid on or before the tenth of the month following the month of consumption or assessment from the date connection is made, subject to discontinuance of the service after first twelve months, credit for same to be computed from the date notice is given to the waterworks office.

Sec. 2957. Permit Issued to Plumber After Applicant Complies with Conditions.—After the applicant has complied with these regulations, a permit will be issued a plumber to do the work of making the proper connections inside the premises, as applied for.

Sec. 2958. Street Connections—How Made—By Whom—Limit of Number.—No person but an authorized employee of the Waterworks department shall tap any main or distributing pipe. Only one tap shall be made for same premises. If an additional one is required, the cost of same shall be borne by the owner of the property.

Sec. 2959. Stop-Cock and Box—How and Where Provided—Private Pipes.—No Shut-Off on Private Property.—Every street connection at the time of making the same shall be provided with a separate stop-cock and box at the curb of the sidewalk, when practicable, for each tenement or premises to be supplied. On private pipes laid on streets, which have no mains, a stop-cock and box will be supplied to each consumer free of cost. No shut-off shall be placed on private property, or on a private alley.

Sec. 2960. Ownership of Stop-Cock and Box—for Whose Use. The stop-cock and box at the curb are the property of the waterworks, placed there for their sole use.

Sec. 2961. Repairs to Pipes—By Whom—Failure to Repair on Notice—Remedy.—The pipe from the property line into the premises of the consumer are his property, and all the repairs to

the same must be made at his expense. If said pipes be corroded or stopped up, so that there is not sufficient force to operate the meter, consumer will be required to renew the same. Failure to do this upon proper notice from the water office, the water will be cut off and not turned on again until the defect is remedied.

Sec. 2962. Plumbing From Property Line Inward—Whose Expense. All plumbing from the property line inward must be done at the expense of the owner of the property.

Sec. 2963. Two or More Parties on One Tap—Failure of Either to Pay Bill—Water Shut Off. Whenever two or more parties are supplied by the same service pipe, the failure of any one of the number to pay the water bill, when due, shall authorize the Superintendent of the Waterworks to turn the water off from the said pipe until the rates, terms and conditions are complied with.

Sec. 2964. Water Used for Motive Power—Meter Furnished—Expense of Consumer—Attached Before Machine is Operated. All services intended to use City water as a motive power, such as motors, elevators, organ motors, etc. must be provided with an approved meter by and at the expense of the consumer, which shall be attached before the machine is set in operation.

Sec. 2965. City Water Introduced—Plumbing Must Be Inspected—Water Will not be Turned on Unless Satisfactory. Whenever the City water is introduced into any premises, or changes are made in water pipe or fixtures affecting the rates of supply, the plumber shall make a return of same to the water office as soon as the work is completed, and the plumbing will then be promptly and carefully inspected. The water will not be turned on permanently in any case until the Inspector is satisfied that each and every rule relating to the subject has been complied with.

Sec. 2966. Street Sprinkling with Wagons—Wagons Numbered—Meter May be Attached to Wagon by Board, if Desired. Persons intending to sprinkle the streets with wagons must arrange in advance with the Board of Water Commissioners; each

cart or wagon must be plainly numbered, so the Inspector can report the number of such carts or wagons in service. The Board reserves the right to attach a meter to each or any of these wagons for the purpose of metering the supply furnished by them.

Sec. 2967. Water for Fire Protection—No Charge—Water Department Notified. Whenever water is used on any unmetered service for fire protection, in actual case of conflagration, no charge will be made for same; provided, that the Water Department is notified in writing within twenty-four hours after all fires.

Sec. 2968. Regulations as to Fire Pipes—May Require Meter. Pipes for protection must be fitted up with such fixtures only as are needed for fire protection. A valve must be placed just inside the premises to control the entire supply. All such valves must be sealed by the Water Department, and in no case shall the seal be broken except in case of actual fire. After notification, re-seal these valves. The Board of Water Commissioners shall have power, in their discretion, to require all such fire services to be provided with a meter to be put in at any time, such as said notification of seal being broken it shall be the duty of the Inspector to Board may in each case prescribe, either at the time of making the tap or afterwards, and to make any changes or just and reasonable requirements as good service may from time to time require in each instance, either as to said meter, or as to any other part of said appliances pertaining to the same.

Sec. 2969. Tests of Fire Apparatus—How Secured—Conditions. Parties having connections, using for fire protection, can test their fire apparatus at any time under the following conditions:-

First—Notice to be given at the water office that such test is desired, when date and hour will be assigned the applicant.

Second—All tests must be made in the presence of the proposed employee of the Waterworks Department, whose duty it is to remove and replace the seals of the Water Department.

Third—For each and every violation of the above, the offending party shall have the water cut off, and be subjected to a fine of not less than \$5.00, nor more than \$50.00, in the discretion of the Recorder's Court, upon conviction of such violation therein.

Sec. 2970. Owner Pays for Tap—Connections Only by Waterworks Employees.—The expense of tapping the mains, making connections, placing valves, meters or any protective device, that the Board of Water Commissioners may seem necessary to prevent the illegal use of water, must in all cases be borne by the owner of the property benefited. All connections to the property line and placing of meters must be made by the authorized employees of the Water Department.

Sec. 2971. Interference with Water Pipes Etc. Forbidden—Punishment Prescribed.—It shall be unlawful for any person, firm or corporation, to interfere with or in any way intermeddle with any of the wells, reservoirs, basins, or with the water in same, or with the water mains, pipes, plugs, meters or connections in or out of the City of Atlanta of the waterworks of the said City, or to make any connection therewith by tapping any of said mains or pipes, or otherwise in violation of the laws and ordinances of the City, now or hereafter enacted, without the knowledge and permission of the authorities of the Water Board of the City of Atlanta, or to knowingly permit any such connection or tapping to be made on their premises, or premises in their possession or control as agent, tenant, or otherwise, or knowingly use water from such unauthorized connection. Any person violating this section shall be guilty of a misdemeanor, and upon conviction in the Recorder's Court shall be fined in the sum not to exceed \$100.00, or imprisonment in the City Stockade not over thirty days, or both, in the discretion of the Court.

Sec. 2972. Police to Assist in Enforcing Rules. It shall be the duty of the police of the City of Atlanta to give vigilant aid to the Board of Water Commissioners in the enforcement of their rules and regulations, and to this end they shall report all violations thereof, which comes to their knowledge to the waterworks office.

Sec. 2973. Board Has Right to Enter Premises—Inspect Pipes and Fixtures—Denial of This Right Subject to Penalty. The Board of Water Commissioners, and proper Officers of the Water Department have the right at all hours to enter upon the premises where the City water is taken, for the purpose of inspecting the pipes and fixtures, setting and reading and repairing meters, turning water off and on, and enforcing the rules generally. Each and every denial of this right will render the offending parties liable to the penalties prescribed for the violation of the rules.

Sec. 2974. Water Shut Off in Cases of Emergency—Notice Given, if Practicable—No Liability for Insufficient Supply of Water. The Board of Water Commissioners and proper Officers of the Water Department may stop the supply of water in cases of emergency, and shut it off for repairs or extensions; they being judges of the times and necessity. Reasonable notice to be given when practicable. Neither the Board of Water Commissioners, nor the City of Atlanta, shall be liable in damages for any insufficient supply of City water.

Sec. 2975. Meters—How Set—By Whom—Regulations—New Meters—How Paid For, Etc.—Meters are to be attached to all premises, where City water is to be used, except as the Board of Water Commissioners shall otherwise direct. After the adoption of these rules and regulations all meters will be set by the Board of Water Commissioners according to the rules and regulations made by them, and at a price to be fixed by them. After the purchase of the first meter by the property-owner as herein provided for, the City will keep the same in repair, and replace it with a new one, when necessary, without any further expense to the property-owner. The Board of Water Commissioners are hereby authorized, when any meter was put in service prior to June 1897, and is found not to register correctly, and is worn out, or so badly worn that it cannot be repaired without great expense to the Department, to condemn the same, and put in a new meter at the expense of the property-owners, the expense of same to be fixed by the Board of Water Commissioners. After the meter is put in, and paid for by the property-owner, the expense

of keeping it in repair, and putting in a new meter, when necessary, shall be borne by the City. No one but an authorized employee of the waterworks department shall be allowed to put in, take out, or in any way handle the meters.

Sec. 2976. Parties Opening Streets Must Provide Protection for Water Pipes—Prevent Freezing—Applies to all Water Pipes.—Any person, firm or corporation, who may open the streets of the City of Atlanta, either under or without permit, shall provide for the covering and protection of water pipes, which may be exposed by such opening, whether exposed by excavation or otherwise, and said covering and protection shall be sufficient to preserve said pipes from freezing or breaking or from injury in any manner. This regulation shall apply to all water pipes belonging to the City of Atlanta, whether main, lateral, service, for connection, or for fire, or otherwise.

Sec. 2977. If Unable to Protect Pipes, Must Notify Department of Waterworks—When.—Any person, firm, or corporation, who may open or excavate in the streets of the City, and thereby expose pipes of the City bearing water, whether large or small, shall secure same against freezing, or breaking, or injury, as required under Sec. 2976 of this ordinance; and, if unable to do so, it shall be their duty to notify the Department of the Waterworks prior to two o'clock P. M. of the day of said excavation or opening.

The provisions of this, and the foregoing section shall apply to all persons, firms or corporations, including employees of public service corporations such as electric light, telephone, steam heating or street cars, as well as to employees of the City, whether official or subordinate.

Sec. 2978. Penalty for Violation of Above Sections.—Any persons, firms, or corporations, violating any of the foregoing provisions shall, upon conviction in Recorder's Court, be punished by a fine not exceeding one hundred dollars (\$100.00), or imprisonment not exceeding thirty (30) days, one or both penalties to be inflicted within the discretion of the Court having jurisdiction.

Sec. 2979. Person Opening Streets Liable for any Damages.

—Any person, firm, or corporation, who may open or excavate the streets, or expose the water pipes, as herein provided for, shall be liable for all damages, that may be sustained by such opening or excavation, which may arise from a failure to comply with this ordinance.

Sec. 2980. Regulations as to Furnishing Water to Persons Outside of City Limits.—No water shall be furnished to consumers of any description outside the City limits except upon the following conditions:

Application shall be made in writing to the Board of Water Commissioners by the party or parties desiring the service with their genuine signatures appended thereto, offering to give suitable bond and security, and agreeing to pay all expense of material and labor for laying mains and making connections to the property-line, including the pipes, valves, hydrants and all other fixtures; and conceding to the City the right, at its option, to purchase said mains and appliances and fixtures, should the City limits be extended over them, at actual cost with three per cent (3) per annum deducted for depreciation. These expenses are to be paid by the Petitioners upon approved bills and pay-rolls of the Water Department as the work progresses, so that the City shall be at no expense whatever therein. In said petition, said parties shall also agree for themselves and their successors, so as to become a covenant running with their lands, that the line, when laid, is to be under the exclusive management and control of the Water Department; the same as lines within the City, and the City is to have the right to make taps in the same, and that no tap or opening can be made, or valve opened or closed, except by the City; and also agreeing that the service is to be governed in all respects by this ordinance, and by all the other ordinances and laws of the City and rules of the Water Department, now or hereafter made, governing similar services inside the City limits; with the same right to enter on premises, make inspections, shut-off water or employ any other remedy provided by such laws, ordinances or rules.

The applicants shall in each instance present with their petition the consent, in due form, of the Board of County Commis-

sioners, or other county authorities, for placing the structures in the public road.

All such water consumers outside of the City limits shall pay each a minimum rate of \$1.60 (one dollar and sixty cents), less the discount, being net \$1.20 (one dollar and twenty cents); and after that, double the rate for similar services charged or allowed under the rules to consumers for like services inside the City, except as to manufacturers who shall pay fifty per cent (50) more than manufacturers inside the City. No free service or free use of water shall be allowed outside the City unless first recommended by the Water Department and especially approved by the Mayor and General Council. In all other instances, it shall be in the discretion of the Board of Water Commissioners to grant or refuse the petition; except that when any main or pipe is sought to be laid that is above six (6) inches in diameter, the consent and approval, on recommendation of the Board of Water Commissioners, shall also be obtained from the Mayor and General Council before the permit becomes effectual.

The City reserves the right to connect said main or mains for connecting up circulation at any time, and the right to cut off water at any time, without notice, for repairs to mains; or in case of a scarcity of water inside the City. The service shall also be subject to any further reasonable rules of administration for correct use and practice, as experience may show, to be necessary, just and proper. The City also reserves the right in the discretion of the Board of Water Commissioners, to cut-off water from said service or services, or any part of the same, and discontinue the service in case of violation of any abuse arising under the same.

Sec. 2981. Restrictions Upon Plumbers.—No plumber shall be allowed to do any work or to make any connections on any premises in the City, that is calculated in any wise to effect a change in the water rates, without first making application to the Water Department, and specifying the nature of the changes to be made, such as the number of fixtures, connections, etc., and getting a permit from the Water Department to do such work; and as soon as the work has been executed, he shall make immediate re-

turns to the Water Department of all such work done by him. He shall report all plumbing or use of water that is contrary to the rules, that may come to his notice.

Sec. 2982. Duties of Property Owners as to Meters More Clearly Set Forth.—When meters, owned by individuals, and put into service prior to June 2nd, 1897, and all meters in service over two inches in size, are repaired by said Board, and broken parts have been furnished in the course of said repairs, the cost thereof shall be paid by the parties owning, controlling, or using said meters, and if said parties refuse to pay for the cost of replacing said broken parts, within thirty days after the re-installation of said meters, and notice to tenants and landlords or agent of landlords by mail, if known, the record or memorandum of department showing that the mailing notice has been mailed, is to be sufficient evidence of notice, then said Board shall cause the water supply to be shut off from the premises supplied through said meters until such time as the cost of said broken parts shall be paid. Provided that this ordinance shall be enforced only for cost of new parts placed by the Water Department after the passage of this ordinance.

Sec. 2983. No Plumber Shall Allow Another to Use His License—All Plumbing Work to be Done Properly—Good Material and Reliable Labor. No Plumber shall allow his name to be used by another person or party for the purpose of doing work under his license. All plumbing must be done in a thorough and workmanlike manner, both in regard to material and labor, and will be required to conform strictly to the rules of the Board of Water Commissioners.

Sec. 2984. All Plumbing Work Connected With Sewer Flush Tanks—Under Supervision of Waterworks Department—Department Repairs—Leakages.—All plumbing work connected with sewer flush tanks, etc. necessary to equip and operate them as now or hereafter adopted by the City of Atlanta, shall be done under the supervision, control and management of the Department of Waterworks, and said Department of Waterworks shall not only make necessary connections to flush tanks, but shall repair all leakages therein, or other defects, whereby the City service is injured.

Sec. 2985. Plumber Cannot Turn Water Into Service Pipe—Except—Penalty for Violation.—No plumber will be permitted to turn water into any service pipe (aside from the purpose of testing his work, when it must be immediately turned off again). Plumbers, who violate any of these rules, or others that the Board of Water Commissioners may prescribe, will be deprived of their certificate, subject to action of said Board.

Sec. 2986. Penalty for Violation of any of the Provisions of This Chapter.—Any person, firm, or corporation violating any of the provisions of this Chapter, upon conviction thereof before the Recorder's Court, unless a special penalty is otherwise prescribed, shall be fined not exceeding one hundred dollars, or imprisonment in the stockade not exceeding thirty days, or both, in the discretion of the Court.

Sec. 2987. Water Inspectors Have Police Powers.—Police powers are hereby conferred upon the water meter readers and inspectors of the Waterworks Department.

Sec. 2988. Wells and Cisterns—Pits—Holes—Must be Covered or Enclosed.—It shall be the duty of all persons owning or occupying lots in the City of Atlanta, or their agents or representatives, to keep all wells, cisterns and other pits and holes in the earth, therein or on the same, securely covered or enclosed, so as to prevent injury resulting therefrom to the person or property of others.

Sec. 2989. Penalty for Failure to Comply With This Regulation.—Any such person, who shall suffer or allow any well, cistern, or other pit or hole in the ground, to be or remain open, unenclosed, or otherwise so exposed as to be dangerous to the person or property of others, after being notified by an officer of the City, shall, on conviction, be fined in a sum not exceeding one hundred dollars and costs; or not exceeding thirty days imprisonment in the calaboose, or both, in the discretion of the Recorder's Court; and every twenty-four hours, that the same stands open and unenclosed, after conviction, shall constitute a separate offense.

Sec. 2990. Old Unused Wells Shall be Filled—Penalty for Failure.—Old and unused wells shall be filled by the owners or agents in charge thereof, and it shall be the duty of the Sanitary Inspectors to see that this is done as follows: A written notice shall be served personally upon the owner or agent, to fill said wells, and upon their failure to do so, they shall be summoned before the Recorder's Court, and upon conviction of violating this ordinance shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 2991. Tanks—Cisterns—Above or Beneath Ground—Must be Screened.—All water-tanks, cisterns, and similar constructions, made of wood, metal, or masonry, located within the City of Atlanta, or the territory adjacent thereto, but under the police regulations of said city. Whether such tanks, cisterns or similar constructions are built above or beneath the ground, shall be carefully and securely screened with good wire netting of not less than 18-mesh, and shall be so knit together as to secure the water in such reservoirs from contact with mosquitoes or similar insects, and to entirely prevent ingress and egress by said mosquitos or similar insects from and after the first day of May to the first day of December of each year.

Sec. 2992. Sanitary Inspectors—Police—Other Employees—See That This is Carried Into Effect.—It shall be the duty of the sanitary inspectors, police officers, and other employees of the City, to see that the provisions of this ordinance are carried into effect, and upon their failure to report violations of this ordinance known to them, such failure shall subject them to be charged in their respective departments, and to dismissal for breach of duty in this regard.

Sec. 2993. Any Person in Charge of Such Unscreened Tank—Punishable.—Any person, firm, or corporation, occupying land or houses, either as owner or tenant, who in any manner is responsible for the presence or maintenance of the tank, cistern, or similar construction containing water upon any lot, land, or in or upon any building within the limits of the City of Atlanta,

or without the limits of the City of Atlanta, but within the police limits thereof, shall, on conviction thereof, in the Recorder's Court, be fined not exceeding one hundred dollars for each offense, or compelled to work upon the public works for not exceeding thirty days, one or both punishments to be inflicted within the discretion of the Recorder.

Sec. 2994. Each Day it Continues a Separate Offense.—The presence of water, not screened as herein provided, upon land or upon buildings as aforesaid, shall subject the offender, as above provided, to punishment for each day such violation continues. Each day constituting a separate offense.

Sec. 2995. Cistern Water Only for Extinguishing Fires—Penalty for Using Otherwise.—Any person drawing water from the public cisterns of the City, except for the purpose of extinguishing fire, shall upon conviction, be subject to a fine of not exceeding one hundred dollars and cost, or imprisonment not exceeding thirty days, or both in the discretion of the Recorder's Court.

Sec. 2996. Water Service Cut Off Where Tampered With Until Case Made.—In all cases, where it appears that water service furnished by the City has been tampered with by the party served, or his agents, in any way, either by using a by-pass and thus preventing the water from passing through the meter, or, in any other way securing water without the knowledge of the City, where same is not registered and paid for, such service, upon ascertainment of this fact, shall immediately be cut off, and the officers and employees of the Department of Water Works are required to see that such service is discontinued until such time as a case shall have been made against such persons, or their agents, in the Recorder's Court of the City of Atlanta, for a violation of the ordinances of the City, and a decision had.

Sec. 2997. In Such Cases, Full Compensation Before Service Restored.—In all cases where such parties or their agents are found guilty, in addition to the sentence imposed by the Record-

er, such party shall appear before the Board of Water Commissioners and make a full and complete compensation, for the use of all water, so improperly received, before the service is reestablished.

CHAPTER XCV.

WEIGHTS AND MEASURES.

Sec. 2998. Inspector of Weights and Measures—Appointment—Salary—Bond.—The position of Inspector of Weights for the City of Atlanta be, and the same is hereby created. Said Inspector shall be appointed by the Mayor, and shall hold each appointment for a period of two years, unless removed by the Mayor for incompetency or neglect of duty. Such Inspector shall receive a salary of \$1,200.00 per annum, payable monthly, and shall give bond in the sum of \$2,000.00 to be approved by the Clerk of Council of the City of Atlanta, payable to the City of Atlanta, conditioned for the faithful performance of the duties of said office.

Sec. 2999. Duty—Tests Scales—Notice of Defects—Discontinue—Seize.—It shall be the duty of such Inspector to examine and test the scales of all dealers in the City of Atlanta who sell their commodities, wares or merchandise by weight, at least once during each month, and to determine the accuracy or inaccuracy of same. It shall be the duty of said Inspector, in the event he finds any of the said scales to be inaccurate, to serve written notice of such fact upon the person, firm or corporation using or operating such scales, which said notice shall be served upon the person in charge of the place of business where said scales are located, and said notice shall contain a demand upon the person, firm or corporation using or operating said scales to discontinue the use thereof until required and accurately regulated, and unless such inaccurate scales are repaired and made correct within ten days after the service of such notice as herein provided, said Inspector shall seize the same in the name and under the authority of the City of Atlanta.

Sec. 3000. Power—Enter Premises—Stop Wagons—City Scales.—Said Inspector is hereby given the power and the au-

thority to enter upon the premises occupied by any dealer in the City of Atlanta selling any commodity, wares, or merchandise by weight, for the purpose of inspecting the scales used or operated by such dealer as herein provided, and said Inspector shall likewise have power and authority to hail any wagon on the streets of the City of Atlanta delivering coal, coke, charcoal, or any other commodity sold by weight, and to compel the driver thereof to proceed to the nearest Official City Scales for verification of the weight of his load, and said Inspector shall also have authority to compel drivers of empty coal wagons to verify the weight of same.

Sec. 3001. Unlawful to Interfere—Conceal from—Refuse Inspection—Penalty.—It shall be unlawful for any person to interfere with, prevent or attempt to hinder said Inspector from performing any duty imposed upon him by this ordinance, or to conceal any scales required by this ordinance to be examined or tested by him, or to refuse to allow the same to be tested and examined as provided herein, and any person, firm or corporation violating this section hereof shall upon conviction be punished by a fine not exceeding \$100.00, or by labor on the streets or public works of the City of Atlanta for not exceeding thirty days, either or both, in the discretion of the Recorder.

Sec. 3002. Unlawful to Use Condemned Scales—Penalty.—It shall be unlawful for any person, firm or corporation in the City of Atlanta, selling any commodity, wares or merchandise by weight, to use for the purpose of weighing any such commodities, wares or merchandise any scales which have been adjudged inaccurate and defective by the Inspector of Weights of the City of Atlanta, and notice of such inaccuracy served upon such person, firm or corporation, and any person, firm or corporation, violating this section hereof shall upon conviction be punished by a fine of not less than \$10.00 nor more than \$100.00, or labor on the streets or public works of the City of Atlanta for not exceeding thirty days, either or both, in the discretion of the Recorder.

Sec. 3003. Coal—Coke—Must be Weighed—How.—That it shall be unlawful for any dealer in coal or coke to sell same by weight in the City of Atlanta unless said coal or coke so sold shall have been weighed upon accurate scales of such dealer or of the party from whom he purchased, or the official city scales, and certificate of such weight shall be delivered by said dealer to the purchaser, and any such dealer who shall sell any coal or coke in the City of Atlanta without weighing same, or who shall over-certify such weight to an amount of 25 pounds, on deliveries of less than 500 pounds, and of 50 pounds on deliveries above 500 pounds, shall upon conviction thereof before the Recorder of the City of Atlanta, be punished by a fine of not less than \$10.00 nor more than \$100.00, or by labor on the streets or other public works of said City for not exceeding thirty days, either or both, in the discretion of the Recorder, and should it appear upon the hearing before the Recorder that such shortage in weight was intended to cheat or defraud the purchaser, it shall be the duty of the Recorder to bind the offender over to the City Court for a violation of the State offense. Provided, however, that the terms of this ordinance shall not apply to coal and coke sold in carload lots upon weights at mines, and where the same is not to be reweighed at point of delivery.

APPENDIX

RULES

FOR THE GOVERNMENT OF THE MAYOR AND GENERAL COUNCIL OF THE CITY OF ATLANTA

Rule 1. The Mayor and General Council will meet at the Council Chamber at 3:00 o'clock P. M. on the first and third Mondays in each month, and continue in session from day to day, in their discretion.

Rule 2. Special meetings of the General Council may be called by the Mayor, whenever in his discretion the exigencies of the case may require it, such meetings shall be called, by the Mayor, at any time that a majority of the members of the General Council shall request the same in writing. Should the Mayor refuse, or for any reason fail to call such special meeting of Council upon the written request of a majority of Council, the Clerk of Council shall be required to call such special meeting.

Rule 3. A majority of the members of the General Council shall constitute a quorum for the transaction of business, and in all cases a less number may adjourn from time to time, and compel the attendance of absentees.

Rule 4. The Mayor Pro-tem, or in his absence, any member of the General Council, who may be designated by the members present, (a quorum being present), shall take the chair at the hour appointed for any regular, adjourned or special meeting. The Mayor shall preside during the election of officers.

Rule 5. The presiding officer, whether the Mayor, Mayor Pro-tem or any member of the General Council, shall enforce the rules of this body, preserve order and decorum, and appoint all committees, unless the General Council shall otherwise direct, in which case they shall be appointed by the General Council, in such manner as may be determined upon.

Rule 6. The following order shall be observed in the transaction of business, viz:

1. Roll Call.
2. Prayer.
3. Report of Committee on Minutes.
4. Reconsiderations.
5. Communications.
6. Report of Officers.
7. Unfinished Business.
8. Changes made by Aldermanic Board.
9. Petitions.
10. Reports of Standing Committees.
11. Reports of Special Committees.
12. Resolutions, Orders and Ordinances.
13. Consideration of Franchises.
14. Adjournment.

Rule 7. No account, not examined and certified to be correct by a member of the proper committee, or by the Mayor, will be passed.

Rule 8. Every committee shall report upon the subject matter referred at the succeeding meeting, or shall show good cause why such report is not made.

Rule 9. Every officer whose duty it is made, by order or resolutions in the General Council, to report at the regular meetings of this body, shall punctually perform his duty, or be fined, in the discretion of the General Council.

Rule 10. All ordinances requiring action by the General Council in joint session shall undergo one reading each at two different regular, special or called meetings before adoption, except that by a two-thirds vote of the members present an ordinance can be read twice at the same regular, called or special meeting and adopted.

Rule 11. All motions shall be reduced to writing at the request of the presiding officer or any member of the General Council.

Rule 12. In all matters pending before the General Council, a majority shall govern. In all cases of a tie, the presiding officer, shall give the casting vote, but at no other times, and under no other circumstances, shall he be permitted to vote.

Rule 13. Each member of the General Council, before speaking shall rise and respectfully address the Chair, and after being recognized shall remain standing while speaking, and shall confine himself to the question under debate, and avoid all personal or indecorous language. No member shall interrupt another while speaking, except to rise to a point of order, the point to be briefly stated to the presiding officer, or to ask a question, for information only.

Rule 14. The presiding officer shall decide questions of order, subject to an appeal to the General Council.

Rule 15. In all votes in their respective bodies, resolutions or ordinances, having for their object the increase of the indebtedness of the City, or the expenditure of its revenue, except the payment of its salaried officers, any one Alderman, or any two Councilmen, may give notice of a motion to reconsider, which notice, in either case, shall delay the question until said reconsideration can be acted on at the next regular meeting. In all other cases, a motion to reconsider any of the proceedings of the General Council will not be entertained, unless made by a member who previously voted in the affirmative.

Rule 16. That a motion to refer to regular Council Committee, or to lay on the table, is not a motion of final disposition. That an Aye and Nay vote by roll call shall not be permitted except on motions of final disposition.

Rule 17. In the order of business established by Rule 6 when the head of Reports of Committees is reached, the reports of the Committees will be called for in the following order:

1. Committee on Minutes.
2. Committee on Auditorium and Conventions.
3. Committee on Bridges.
4. Committee on Cemetery.

5. Committee on Claims.
6. Committee on Electric and Other Railways.
7. Committee on Electric Light, Telegraphs and Telephones.
8. Committee on Board of Electrical Control.
9. Committee on Fire.
10. Committee on Board of Fire Masters.
11. Committee on Finance.
12. Committee on Freight Rates and Transportation.
13. Committee on Hospitals and Charities.
14. Committee on Library.
15. Committee on Ordinances and Legislation.
16. Committee on Parks.
17. Committee on Police.
18. Committee on Printing.
19. Committee on Prisons.
20. Committee on Public Buildings and Grounds.
21. Committee on Public Improvements.
22. Committee on Salaries.
23. Committee on Sanitary Affairs.
24. Committee on Schools.
25. Committee on Sewer and Drains.
26. Committee on Streets.
27. Committee on Tax.
28. Committee on Waterworks.

Rule 18. No communication to the General Council shall be entertained unless the same be in writing.

Rule 19. The Clerk shall keep a separate book, in which shall be entered these and all other rules and by-laws which the General Council may pass, and also a book in which shall be entered the several ordinances adopted by the General Council.

Rule 20. No member of the General Council shall speak more than ten minutes on any question under debate, except by permission of the General Council, nor more than once on the same question until all who wish to speak shall have opportunity to do so; neither shall any member speak twice on the same question without permission from the General Council.

Rule 21. No person, not a member of the General Council,

shall speak on any matter pending without the unanimous consent of the members present.

Rule 23. All reports of Committees on matters referred to or originating with them, shall be written in ink, and shall, in all cases, be so framed as to clearly indicate the action of the committee; and if the report involves the expenditure of money, it shall, in all cases, show the amount to be expended, or an approximate thereto, and shall state from what fund to be taken.

Rule 24. While the General Council is in session, its members, as well as the officers of the City in attendance thereon, shall occupy the seats, or positions, in the Council Chamber respectively assigned them. No member of the General Council shall absent himself from session, except by permission of the presiding officer. No reading of newspapers shall be allowed in the Council Chamber during the sessions of the General Council. Upon request of the presiding officers members of the General Council shall refrain from smoking.

Rule 25. All petitions presented shall be referred by the chair to the appropriate committee for consideration; such reference, however, being subject to the control of the General Council.

Rule 26. The presiding officer, when the General Council is in session, shall enforce parliamentary rules for its government, so far as they are applicable to such a legislative body and do not conflict with the rules adopted.

Rule 27. Mell's Manual shall be the recognized exponent of parliamentary law.

Rule 28. Any additional rule or rules may, from time to time, be made by the General Council, but no alteration of a rule shall take place, nor the suspension of any rule, without a two-thirds vote of the members present.

Rule 29. That the Mayor shall not have the privilege of debate on the floor of the Council Chamber except when the rules have been duly suspended for that purpose.

Rule 30. No person other than the members of the General Council, the Mayor, the Mayor's Secretary, the Clerk of Council and his assistants and the heads of the Departments or their immediate representatives and representatives of each of the daily papers shall be allowed within the rail or bar of the General Council while the same is in session, nor shall any person other than the Mayor or a member of the General Council seek to influence the vote or support of any member of the General Council on the floor of said General Council or inside the railings of the same during its sessions.

ALDERMANIC BOARD RULES.

Rule 1. The regular meetings of the Aldermanic Board shall be held at three o'clock P. M. on Thursday following the regular meetings of the Mayor and General Council.

Rule 2. All rules of Council where applicable to this Board, shall govern its conduct of business.

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APPENDIX

Ordinances passed after
Code of 1910 pre-
pared.

Whereas, the population in and near the central portions of the City of Atlanta, is very much congested and, in many instances, surface closets are still being used by the residents in such sections, and such use is a menace to health and tends to cause disease, and is liable to cause an epidemic, and the City, in that section is so well sewered that the houses located therein may be connected with sewers at a comparatively small cost and such cost is too small to be considered in comparison with the danger to the public health on account of the maintenance of surface closets within said thickly settled portion of the City.

Therefore, be it ordained by the Mayor and General Council of the City of Atlanta as follows:

Section 1. That it shall be unlawful for any person, owner or tenant, their agents or employees, to have, maintain or use surface closets on any lot or in any place within the limits described as follows:

Beginning at a point at the corner of Decatur and Bradley Streets, and thence running along Bradley Street to Edgewood Avenue; thence along Edgewood Avenue to Randolph Street; thence along Randolph Street to North Avenue; thence along North Avenue to Gray Street (North Ave. as just described, means East and West North Avenue); thence along Gray Street to Simpson Street; thence along Simpson Street to Vine Street; thence along Vine Street to Beckwith Street; thence along Beckwith Street to Chestnut Street; thence along Chestnut Street to Greensferry Avenue; thence along Greensferry Avenue to Culver Street; thence along Culver Street to Ella Street; thence along Ella Street to Chapel Street; thence along Chapel Street to Humphries Street; thence along Humphries Street to Stephens Street; thence along Stephens Street to Cooper Street; thence along Cooper Street to Ormond Street; thence along Ormond Street to Cherokee Avenue; thence along Cherokee Avenue to Glenwood Street; thence along Glenwood Avenue to South Boulevard; thence along South Boulevard to Bryan Street; thence along Bryan Street to Pearl Street; thence along Pearl Street to Delta Place; thence along Delta Place to Decatur Street; thence along Decatur Street to Bradley Street, and in addition to the above described territory, said limits shall extend beyond the streets as above described

by distance of 150 feet from the center of the several streets described as forming the above boundary. The territory included within the boundary of said streets and for a distance beyond the same for 150 feet from the center of said streets shall be known as the inner sanitary limits.

Sec. 2. Any person, firm or corporation, owner or tenant, their agents or employees violating the provisions of Section 1 of this ordinance shall on conviction in the Recorder's Court, be punished by a fine not exceeding One Hundred Dollars or sentenced to work on the public works of said City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 3. That, in order that ample time may be given for making sewer connections for all the premises included within said inner sanitary limits, this ordinance shall become effective on and after May 1, 1911.

Sec. 3030. Be it ordained by the Mayor and General Council that the annual tax ordinance for the years 1910-1911 be amended by striking out on page 35 the classification "Motor Cycle, Dealers in, \$10.00," and inserting in lieu thereof the following classification: "Motor Cycles, Dealers in or Agents for, no license to issue for less time than to June 30, 1911, \$25.00."

Be it ordained by the Mayor and General Council of Atlanta that the Milk Ordinance be amended as follows:

Sec. 1. In Section 31: After the word "Milk," the words "or cream brought or shipped into the City," be inserted. Also, after the word, "sale," the words "by dairymen or their agents." Strike out the word "in" and the word "kept," so that the section shall read as follows:

Sec. 2. All milk or cream brought or shipped into the City for sale, or offered for sale by dairymen or their agents, milk depots, hotels, restaurants, lunch rooms, ice cream factories, etc., shall be kept at a temperature below 55 degrees Fahrenheit,

and must not contain more than 100,000 bacteria per cubic centimeter.

Sec. 3. In Section 34. "18 per cent." be inserted instead of "20 per cent." "100,000" to be inserted in the place of "500,000," so that the section shall read as follows:

Sec. 4. Sec. 34: "Cream sold, or offered, or kept for sale as such must contain at least 18 per cent. butter fats, and must not contain any foreign substances or coloring matter, and must not contain more than 100,000 bacteria per cubic centimeter.

Sec. 5. Add to Section 37 "All bottles, cans and vessels in which milk or cream has been delivered must be thoroughly cleansed before they are returned to the dairymen."

Sec. 6. Add to Sec. 31: "All milk or cream used in ice cream factories, bakeries, soda founts, etc., must be kept at a temperature below 55 degrees Fahrenheit, and must not contain more than 100,000 bacteria per cubic centimeter."

This ordinance to go into effect on the first day of March, 1911.

Section 1. That from and after the passage of this ordinance it shall be unlawful for any person, firm or corporation, their agents or employees to sell or offer for sale shell or shucked oyster to which more than 10 per cent. water has been added, either directly or in the form of melter ice.

Sec. 2. Any person violating this ordinance shall on conviction in the Recorder's Court be punished by a fine of not less than one (\$1.00) dollar nor more than fifty (\$50.00) dollars in the discretion of the Recorder.

Sec. 1. That the ordinance adopted at the first meeting of Council in November changing the name of Oakland Avenue to Michigan Avenue be amended as follows:

(2) That wherever the name of Michigan Avenue appears in said ordinance, the name be changed to Avon Avenue.

Sec. 1. Be it ordained by the Mayor and General Council that the street now known as Pine Street, extending from McCall's Crossing to Jacob's Drive, and the street known as Jacob's Drive, extending to Evans Drive, both being an extension of Murphy Avenue be and the same are hereby changed to Murphy Avenue.

Sec. 1. Whereas Dover's Alley between Chapel and Markham Streets is used as a street and improvements are built along same and the City should take charge of the alley as a street,

Sec. 2. Therefore, be it ordained by the Mayor and General Council, that Dover's Alley, as now defined, be and the same is hereby ordained to be a street, to be known as Dover Street and that the general ordinance providing that no streets be less than fifty feet shall be amended by this ordinance and said Dover's Alley shall be accepted as a street notwithstanding it is of less width than the general provision.

Sec. 1. That all fish and meat market licenses shall hereafter be granted as follows:

The applicant shall file a petition for such licenses, one or both, if desired with the Clerk of Council, and same shall then be referred to the Board of Health, who shall report thereon to the Clerk either "favorably" or "unfavorably," the application shall then be read in the General Council and there granted or refused as they may desire.

Sec. 2. The General Council may revoke said license at any time, and the Board of Health is charged with the duty of making recommendations for the revocations of such licenses, in all cases, where the market is kept in an unclean or unsanitary condition.

Sec. 3. That any person conducting a fish or meat market without complying with this ordinance, or after the license has been revoked, shall on conviction thereof in the Recorder's Court be punished by a fine not exceeding \$100.00, or sentenced to work on the public places of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1. That each permit for a building or repairs to a building issued by the Building Inspector shall have written or printed thereon the following:

Georgia, Fulton County.

Personally appeared who on oath says that he is the applicant for the foregoing permit and that the work to be done thereon will be done by contract with
 contractor, or by day labor (erase one or the other. .

.....

Sworn to and subscribed before me this day of
 19...

.....

Notary Public, Fulton County, Ga.

Sec. 2. That no permit for a building or repairs to a building under existing ordinances, shall be good or valid unless secured on affidavit stating that same is either by contract or day labor, and, if by contract give name of the contractor.

Sec. 3. That the Building Inspector or assistant shall see that the foregoing provision is carried into effect and it is hereby made a breach of duty on the part of same for failing, refusing or neglecting to secure the foregoing affidavit before

issuing the required building permit, and this ordinance shall apply to each City Department where permits are issued.

Be it ordained by the Mayor and General Council of the City of Atlanta, and it is ordained by authority of the same that the ordinance approved February 25, 1910, and the amendment thereto approved June 23, 1910, known as the "Near Beer Zone Ordinance," be and the same is hereby further amended as follows: to wit: by striking out the following language: "Thence northwardly along Fort St. to Edgewood Ave.; thence along Edgewood Avenue; thence along Edgewood Avenue to Pryor Street;" and by inserting in lieu of the above stricken language the following: "Thence northwardly along Fort Street to Armstrong Street; thence to Piedmont Avenue; thence to Edgewood Avenue; thence to Pryor Street," said ordinance to be effective July 1, 1911.

Sec. 1. That all that certain tract or parcel of land being a part of the Dumping Ground property in the Fifth Ward of the City of Atlanta, and bounded on the north by Bellwood Avenue; on the west by the track of the Georgia Railway & Electric Co. (leading from Bellwood Ave.) to the rock crusher) and property of E. R. Elliott; on the south by property of E. R. Elliott and the right of way of the A. B. & A. Railroad Co.; and on the east by the right of way of the A. B. & A. Railroad Co., and property of E. W. Grove, be, and the same is hereby dedicated and set apart for a public park for the use of the citizens of the City of Atlanta, under the control and supervision of the Board of Park Commissioners.

Sec. 1. That a regular Board known as the Board of Municipal Research and Statistics be, and the same is hereby created.

Sec. 2. That said Board shall consist of three (3) members of the General Council, either Aldermen or Councilmen, three (3) citizens of the City of Atlanta, and the City Auditor.

Sec. 3. That the members of Council and the Chairman of said board shall be appointed by the Mayor, as are the Chairman of the regular standing Committees of the City Council, and three citizens shall be selected and appointed by the Mayor to serve for two (2) years, or until their successors are appointed.

Sec. 4. That it shall be the duty and province of said Board to collect statistics of various municipal corporations throughout the United States and foreign countries, and to advise the Mayor and General Council of the City of Atlanta, as to the statistics of such cities and of the progress made by other cities in the conduct of municipal affairs, that will be of benefit to the City of Atlanta.

Sec. 1. That the ordinance creating the Bond Commission, approved February 25th, 1910, be and the same is hereby amended by inserting in section two of said ordinance after the word "Ex-Officio," and before the word "and," the following: One citizen from the city at large, to be elected by the Mayor and General Council as Chairman of said Bond Commission; said section when so amended to read as follows:

Sec. 2. Said Bond Commission shall at all times be composed of the Mayor and Finance Committee of the General Council ex-officio, one citizen from the City at large, to be elected by the Mayor and General Council as Chairman of said Bond Commission, and one citizen from each of the ten wards of the City, and in case of a vacancy at any time by death, resignation or otherwise from among said citizens, said vacancy shall be filled by election by the Mayor and General Council.

Sec. 3. That the office of Chairman of the Bond Commission be and the same is hereby created, to continue for the term of two years unless sooner abolished by the action of the General Council.

Sec. 4. That some citizen of Atlanta, either from the present Bond Commission, or the citizens at large, be elected by the Mayor and General Council to serve as such Chairman, and to continue at the will of the Mayor and General Council.

Sec. 5. It shall be the duty of said Chairman, with the assistance of the Bond Commission and the various departments to see that all of the improvements provided for in the Bond Ordinance are carefully planned and pushed to completion as rapidly as possible, and that all the provisions of the Bond Ordinance and the Ordinance creating the Bond Commission are faithfully carried out.

It shall be the duty of such Chairman to keep, or cause to be kept, a record of all meetings of the Bond Commission, showing the members present, the subject matter under discussion or consideration, and the action of the body or joint bodies on each particular matter.

He shall keep a record of all contracts recommended by the Bond Commission and the different departments of the City to the Mayor and General Council and of any changes made by the Mayor and General Council from said recommendations in the contracts or awards made by the City for such work, and when said contracts are signed he shall enter a memorandum of the same in a book to be kept by him, or under his direction, for that purpose, showing the name of the contractor, the date of the contract, the date when to be completed, the amount of the contract, and the particular work of construction under said contract.

He shall keep the Mayor and General Council informed of the progress of the work in each department and under each contractor and the amount paid on such contract and the amount remaining as available for the completion of such contract.

All vouchers for the payment of the bond money under said Bond Ordinance, in addition to being signed by the heads of the departments and the Chairman of the respective committees, shall also be signed by said Chairman. He shall be ex-officio a member of all committees of said Bond Commission, and shall as far as practicable, attend all meetings of such committees in each department of the City, and shall see that the reports provided for in the ordinance creating the Bond Commission are properly prepared and filed with the Mayor and General Council. He shall generally perform such duties as are now or may hereafter be imposed by ordinance.

Sec. 6. Said Chairman elected under this ordinance shall be paid a salary of \$2,000.00 per annum, payable monthly, beginning January 1, 1911.

Be it ordained by the Mayor and General Council that the ordinance passed at the last session of this body, providing that applications for licence to sell fresh meat or to carry on the business of a butcher, or fish dealer be first referred to Board of Health and that this Board return such applications to the General Council with recommendation for or against the granting of such licenses—be and the same is hereby repealed.

Sec. 1. That the ordinance creating the position of Chief of Construction and fixing the salary of same approved on the 3rd day of January, 1910, be and the same is hereby amended by striking the amount of salary, to-wit, \$3,600.00, from the second line of Section 2 of said ordinance, and inserting in lieu thereof the sum of \$4,000 so that said section, when so amended shall read as follows:

Sec. 2. The salary of said office is hereby fixed at the sum of Four Thousand (\$4,000.00) Dollars per annum, payable in monthly installments.

That the Ordinance creating the Bond Commission, approved February 25th, 1910, be and the same is hereby amended as follows: by adding the word "City" in the second section of said Ordinance and before the word "and" in said section the following: And one citizen from the City at large, to be elected by the Mayor and General Council, at the first meeting of the General Council of 1911.

Be it ordained by the Mayor and General Council that the ordinance passed by the General Council on December 8th, 1910, setting apart a described strip of land formerly used as a dumping ground, on the south side of Bellwood Avenue, be amended by adding thereto the following:

The provisions in this ordinance shall not affect the stables and workshops and approaches thereto as now used by the City employees but same shall continue under the control of the Department now using same until such time as such stable and blacksmith shop and approaches thereto are no longer necessary for such purposes, in which event, the grounds and approaches as now used, shall be likewise put under the control of the Board of Park Commissioners in the same manner as the other ground described in this ordinance.

Sec. 1. In all cases where eggs are sold or offered for sale, which eggs have been kept in cold storage, each package offered for sale shall be stamped "Cold Storage." That in all cases where eggs are not retailed from the original case, each egg shall be stamped "Cold Storage."

Sec. 2. Any person, firm or corporation, their agents or employees, selling or offering for sale eggs which have been kept in cold storage, without complying with Section One of this ordinance shall be deemed guilty of an offense and, on conviction in the Recorder's Court, shall be punished by a fine not exceeding five hundred dollars or sentenced to work on the public works of said City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Be it ordained by the Mayor and General Council, as follows:

That the ordinance changing the name of Granger Street, a street running from West Hunter to Carter Street be repealed and the name of Granger Street restored to said street.

Section 1. That in all cases where spirituous liquors, wines, beer, etc., have been seized by the officers and members of the Department of Police in the detection of illegal sales thereof and held as necessary evidence in the prosecution of those guilty of violating the laws governing such sales and remains in the possession, custody or control of said department or any of its officers for and during a period of two years from date of conviction in either the Municipal or State Courts such liquors shall thereafter be removed from the station house and deposited with the Grady Hospital and such other hospitals or charitable institutions as the Board of Police Commissioners may designate and in such proportionate parts as such Board may designate for such use and disposition as the authorities in charge of such hospitals or associations may see fit to make.

Sec. 2. That the removal and disposition of such liquors, wines, beers, etc., as provided by Section 1 of this Ordinance, by the Chief of Police, the officers and members of the Department of Police of the City of Atlanta, shall absolve such officers from any liability on account thereof and their action, under this ordinance, is hereby made ministerial and as being specifically directed by the authority of the City of Atlanta.

That the Southern Railway Company be and they are hereby authorized to close Joiner and Jeanette Streets between Peters and the Southern Railway Company, provided that said Company, by the acceptance of this ordinance, is bound to indemnify and save the City of Atlanta harmless from all damages or claims for damages to persons or property on account of the work attending the closing or the maintenance of obstructions closing permanently said streets

under this permission and furthermore that said Railway Company be and they are hereby granted permission to lay railroad tracks across Castleberry and West Fair Streets and to make the changes in the grade and alignment of West Fair Street both and all as shown on accompanying blueprint herewith filed, but upon the further condition that said Railway Company, by the acceptance of this permission, is held and bound to indemnify and save the City of Atlanta harmless to persons or property by reason of the work of laying said tracks on said streets and in making said changes in grade and alignment in West Fair Street during the time of making same and laying said tracks and also on account of the permanent occupancy of said streets by said tracks and on account of the permanent change in the grade and alignment of West Fair Street.

Section 1. That the ordinance approved January 7th, 1907, relative to social clubs, be and the same is hereby repealed.

Sec. 2. That any firm, person or corporation desiring to operate, maintain and to have or open up any club wherein lockers are provided for the use of members, fees charged, either for membership or for use of locker or for other purposes, having a club house, club rooms, parlors or other general place of meeting shall file a petition with the Mayor and General Council asking for license therefor and such petition shall give the name of the club, the name of the president, secretary or manager in charge thereof, its location, the number of members and the amount of entrance fees paid or to be paid, dues and charges for lockers, or locker service, and such other information as will put the general council in full possession of the facts surrounding such club, or proposed club, by which it can decide whether same is a bona fide social or locker club.

Sec. 3. That any club already licensed or hereafter licensed, shall when demand is made by any member of the General Council or of the Police Department, at the club room or place of meeting exhibit the roll of membership upon which only bona fide members of the club shall be written. Said club, its officers and employees shall at all times comply with this requirement and shall keep said roll of membership at the club room or place

of meeting where same can at any time be produced when said demand is made.

Sec. 4. That any social or locker club licensed as herein provided, charging membership dues and having or operating in connection with the club, lockers or locker service, or serving meals or lunches therein, or having any service such as billiards, cigars, etc., from which a revenue is derived, shall pay to the City of Atlanta the sum of three hundred dollars per annum as a license or registration fee, same to be paid as other business licenses are collected.

Sec. 5. That any person, firm or corporation, their agents or employees who shall maintain, operate or carry on, or take part in the maintenance or operation of any club in violation of the provisions of this ordinance, or without securing the permit or license therefor as herein provided, or without paying the license therefor as fixed in the preceding section, shall, on conviction in the Recorder's Court be punished by a fine not exceeding five hundred dollars, or sentenced to work on the public works for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 6. That any club, officer or employee thereof, who shall refuse to admit any member of the General Council or of the Department of Police therein on demand, or who shall refuse to exhibit the roll of membership provided for in this ordinance, or who shall not permit an inspection of such club room or meeting place, on demand, shall be deemed guilty of an offense and on conviction in the Recorder's Court shall be punished as provided in Section 3082 of this ordinance.

Sec. 7. That no license or permit shall be granted to any club or similar organization unless it appears that same is a bona fide social or locker club and not instituted or operated either with or without a charter, for the purpose of providing a place wherein intoxicating liquors, beers, wines, etc., may be furnished under the form of a club, or in or at which there is now operated or maintained a bona fide social or locker club as herein provided for, and any person or persons, either by themselves or others who shall undertake with or without a charter to operate a club or like organization for the purpose of supplying liquors, wines, beers, etc., through the form of a club and

without having, maintaining or operating a bona fide social or locker club, shall be deemed guilty of an offense and on conviction in the Recorder's Court shall be punished as provided in Section 3082 of this ordinance.

Sec. 8. That no license or permit shall be issued to any club, either with or without charter, unless it appears that same is operated, maintained or proposed to be operated as a bona fide social or locker club, having a bona fide membership, club house, room or place of meeting maintained as a social club, at which meals, lunches, etc., are served, lockers are maintained for the bona fide use of members only, charges made therefor, and not as a cloak or subterfuge for the sale of intoxicants, having a membership whose dues or entrance fees are sufficient to provide for the maintenance of such organization, and the expenses thereof and operated and maintained in an orderly manner complying with all the laws of the state and the ordinances of the City.

That the ordinance approved on the 20th day of January, 1910, providing that the City Prison or Stockade shall be put under the charge of the Committee on Prisons of the General Council, be amended by striking the words "one year" from fourth line in section 6 and inserting in lieu thereof the words "two years."

That the ordinance approved November 24th, 1910, referring to the pay and retirement of members of the Police Department, be amended by striking from section 2 thereof, in the second line, so that the employees there designated shall hereafter receive said increase of pay as there provided, after one year's instead of two year's service.

That the Auditor created by and acting under the ordinance approved on the day of 1911, be and he is hereby put under the direction and control of the Mayor and it shall be the duty of the Mayor to see that the

Auditor discharges the several duties imposed upon him by the ordinance of the City, promptly makes the reports required and furthermore does such special work as the Mayor may need or require from time to time.

That Section 809 of the code of 1899 of the City of Atlanta be amended by striking therefrom the words "one dollar" and substituting therefor the words "two dollars," so that said section shall read:

The Board of Health of the City of Atlanta is hereby authorized to contract for the removal of all dead carcasses of animals, such as horses, mules and cattle, from within the corporate limits of the City of Atlanta, and to authorize said contractor to charge for and collect from the owners of such dead carcasses not more than **two dollars** per head, and such contract to run not exceeding three years, on the following conditions:

Be it ordained by the ayor and General Council that Atlanta Ave., a street twenty-five feet wide, between Pulliam and Washington Sts., be adopted as a public street, notwithstanding its width is less than 50 feet.

Sec. 1. That the ordinance codified in Section 1068 of the City Code of 1899 which allows a merchant two feet of sidewalk, next to their building, on which to display goods in regulating such use and display be and the same is hereby repealed.

Sec. 2. That any person, firm or corporation, their agents or employees, using in any way any part of the sidewalk of the city within the close or inner fire limits for the purpose of displaying their goods or placing goods on any part of the sidewalk for displaying or having or using boxes, steps, stands or other things used in the display of goods on any part of the sidewalk within said fire limits or selling goods, wares or merchandise on or from any part of the sidewalk within said

limits shall be deemed guilty of an offense and on conviction thereof in the Recorder's Court shall be fined not exceeding One Hundred Dollars or sentenced to work on the streets or public places of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1. That the ordinance approved on the day of providing a building code for the City of Atlanta be amended by adding to Section 91 on Part 19 thereof, following the sub-head "Bulkhead Stairs and Doors," the following:

"No goods, boxes or articles of any kind or enclosure, walls or like obstruction shall be placed in the way of exits or means of access to a fire escape, nor shall any goods, wares, merchandise, or obstruction of any kind be placed or left upon the balcony or ladders of any fire escape and any person violating the provisions of this ordinance shall be subject to the punishment provided for under Section 134 of Part 29.

Sec. 2. That in all buildings having fire escapes where same are built along windows or at the termination of halls having exits or means of access to and from such fire escapes, a sign shall be maintained at or over the window of sufficient prominence and clearness to be seen, stating that said window or means of access opens to the fire escapes; where the fire escape is built along the building, and is not reached through a window or other opening directly into the hall but through a room or assembly hall or like subdivision of the building, then three or four signs shall be displayed along said assembly hall, room or subdivision at equal distance apart, notifying all persons therein of the door leading to the room through which the fire escape is reached or the window of the assembly hall opening thereon or notifying such persons in what manner such fire escape can be reached from such assembly hall, room or subdivision. Any person maintaining such a fire escape without

complying with this provision shall be punished as provided for under section 134 of Part 29.

An ordinance abolishing City Physicians as now constituted, and creating two (2) assistant health officers to take their place and discharge their duties, same to be elected by the General Council under certain conditions, and for other purposes:

Be it ordained by the Mayor and General Council of the City of Atlanta as follows:

Sec. 1. That the positions of City Physician, as now provided in ordinance codified in Chapter 16 of the City Code of 1899, be and the same is hereby repealed but the other provisions of all of said chapter, and the amendments thereto, where applicable to the positions of assistant health officers, as herein ordained, are hereby ordained.

Sec. 2. In lieu of the City Physician, as now provided, the position of two assistant health officers are hereby created as follows: The General Council, on or before the first Monday in July, 1911, shall elect two assistant health officers to serve for a term of two years each, from the first Monday in July, 1911, or until their successors are elected and qualified, at a salary of eighteen hundred dollars per annum, each, payable in monthly installments; provided, however, that the Medical Staff of the Grady Hospital shall first appoint three competent physicians as a Board of Examiners who shall hold an examination of all applicants as to proficiency, experience, etc., and from the six who make the highest grades, in such examination, the General Council shall select two assistant health officers as herein ordained. Said Board of Examiners shall be appointed each time an examination is called, and shall have no fixed term of office but shall be appointed by said medical staff, from time to time, as vacancies occur, and no one shall be permitted to participate in said examinations unless they are graduates of

medical colleges of recognized standing, with a two years course as a prerequisite of graduation, and who shall have thereafter performed at least one year's hospital service. As vacancies occur, in said assistant health officers, the General Council shall select the successors from the six who made the highest average in said examinations and such selections may be made from any one of said six and not necessarily from the highest average, regard being paid to such other qualifications as such applicants may have in addition to the average made by them in said examination.

Sec. 3. Said assistant health officer shall perform the duties now required of City Physicians and such other duties as may be provided by the ordinances of the Mayor and General Council or by the rules passed by the Board of Trustees of Grady Hospital.

Sec. 4. Such assistant health officers, while having a term of two years as hereinbefore fixed, shall be subject to removal at any time within the discretion of the General Council after five days' notice shall have been given to health officers and after they have been given a fair hearing as to charges or other reasons ascertained for their removal. Causes for removal are not only lack of ability or inattention, neglect, inaptitude, but anything which, in the opinion of said General Council affects the capacity of such assistant health officers for giving the public the services desired by and from such health officers.

Sec. 5. The Board of Trustees shall have charge of the assistant health officers, created by this ordinance, and shall require them to perform the duties herein fixed, as appertaining to said officers, and to follow such other rules as said Trustees may, from time to time, showing in detail their labors during the previous calendar month and especially the number of patients treated, street and number where such patients lived, name of diseases, number of visits made, deaths, cures, reliefs, and such other information as such Trustees may require in order to keep them informed of the work and labors of assistant health officers.

Sec. 6. Each of said assistant health officers, in order to stand the examinations herein stated, must have resided within the city of Atlanta at least twelve months prior to making application for examination, and in addition to the other provisions of this ordinance, if selected to serve as one of the assistant health officers, they shall be especially required to attend all kinds of practice among the poor without charge and furnish medical and surgical relief and attend not only the ordinary cases of disease of obstetrical nature, etc., small-pox and any or all other troubles that physicians are called upon to attend and relieve. It shall likewise be their duty to vaccinate all poor children of the City, free of charge, when requested to do so. It shall also be the duty of such physicians to attend to all policemen who are injured on duty, when requested so to do, and, it shall likewise be the duty of all policemen to secure the aid and attendance of such health officers when needed for the treatment of injuries received by policemen on duty before calling in other physicians. And also to make examinations of all persons claimed to have been injured and who have filed claims for damages with the Mayor and General Council, when required by the City Attorney, and also to make examinations of such persons who sue the City of Atlanta, after such examination, to appear and testify as to the results of examination when such cases come to be tried. These examinations to be made as often as required by the City Attorney, and proper reports in writing to be made thereof to the office of said City Attorney. The City Attorney may employ other physicians, if in his opinion the cases are of sufficient importance to require it, but said health officers shall serve whenever notified as herein provided by said City Attorney.

Sec. 7. The ordinance codified in Section 734 of the City Code of 1899, is not repealed in any part except that the duties herein ordained to be discharged by the City Physicians shall thereafter be discharged by said assistant health officers, under the direction of the Board of Trustees of Grady Hospital.

Sec. 8. The ordinance codified in Sec. 735 of the City Code of 1899 provided that the relief Committee shall have supervision over all City Physicians is hereby repealed.

Sec. 9. Said assistant health officers shall not do any private practice or follow their profession except as same may be done under this ordinance but shall devote all their time to the poor of the City, bettering of sanitary conditions, attending persons under arrest, relieving of public officers, such as policemen, etc., vaccinating all persons when so required by this ordinance or by orders of Board of Trustees of Grady Hospital, or of the City Health Officer, attending small-pox cases, as ordered by the Board of Trustees of Grady Hospital, and generally to give all their time and attention to relieving the unfortunate of the City or the servants of the City where a physician shall be furnished by a municipality and to keep informed of the best method of giving such service by research, comparison and study. In time of epidemics or the spread of contagious or infectious disease, where such disease exists in such numbers as to excite fear without to any epidemic, or otherwise when deemed advisable by said Board of Trustees, such assistant health officers shall do this special work with reference to such diseases and give prompt attention in aiding to arrest its progress, or to serve the City in such a way as said Board of Trustees of Grady Hospital or the ordinances of the City may hereinafter provide.

Sec. 1. That all Boards, Commissions and other Departments that have to buy mules for the use of their respective departments shall follow this method in making such purchases, to-wit: The head or chief or Managing Officer of such Boards, etc., shall make requisition upon the Comptroller for the number of mules desired, the Comptroller shall thereupon advertise for five consecutive days, in the official journal, stating the number of mules desired by such Departments and that bids therefor will be received by such Board, etc., at its office on the day following the expiration of said advertisement at 12 M. and that the mules offered must conform to the specifications of the United States of America when receiving bids on mules for any of its departments, at the time named, the bids shall be opened, and thereupon the Chief or Managing Officer of such department, the Veterinary Surgeon employed by said Board, Department, etc., and the Chairman of the Council Committee,

ex-officio member of such Board, etc., shall inspect the mules offered under said bids, and as soon as possible, report to such Board, etc., their recommendations as to the acceptance or rejection of said bids, and the Board shall when favorable recommendation is made, proceed to award or refuse to award the contract, and when awarded, the Comptroller shall be notified and the requisition granted.

Sec. 2. That it shall be illegal to purchase mules for any department, boards, etc., in any other manner than as provided in Sec. 3108 of this ordinance, and no vouchers, checks, or other method of payment shall be honored. It shall be a breach of duty on the part of any officer to take part in any purchase or payment of bills for mules in any other manner than as herein provided.

Sec. 1. Be it ordained by the Mayor and General Council that whenever the money in the hands of the City Treasurer shall exceed the sum of Five Thousand Dollars, such excess of money shall be deposited in the American National Bank, The Fourth National Bank, Lowry National Bank, and the Atlanta National Bank, in equal proportions of one-fourth to each of said banks, for and during the year 1911, and thereafter until repealed; Provided, each of said banks have, before any of said money is deposited with them, executed separate contracts to receive said deposits when offered as above provided, and to pay a rate of interest thereon equal to two per centum (2%) per annum on daily balances in these banks to the credit of the City of Atlanta and shall give good security, subject to the approval of the Mayor, for the faithful accounting to the City of Atlanta for all money so deposited.

Sec. 2. Be it further ordained that the Treasurer shall deposit with said banks, each day, all money in his hands belonging to the City of Atlanta, in excess of Five Thousand Dollars, and keep his accounts of same in regular deposit books depositing one-fourth of such excess with each of said Banks.

Sec. 3. Be it further ordained that the Mayor and Comptroller shall issue warrants upon said banks payable

to the Treasurer, to pay the debts of current expenses of the City of Atlanta, as the same may be necessary, such warrants to be drawn in substantially equal amounts upon each of said banks, or withdraw the whole of said deposits from either or all of said banks whenever the Mayor and General Council shall so direct.

An ordinance making effective the provisions of the Charter Amendment of 1910, whereby the Mayor and General Council were authorized and empowered to establish and maintain a system of pensions, and for other purposes.

Be it ordained by the Mayor and General Council of the City of Atlanta as follows :

Sec. 1. That all policemen, firemen, teachers and other City employees, who may hereafter become disabled by reason of any personal injury received in the line of their employment and in the legal discharge of their duty, so as to render them unable to perform service, shall, during the continuance of such disability, be retired upon one-half of the salary, payable monthly, that such employees received at the time of such injury subject to the examination and recommendation of the City Health Officer, approval of the Mayor and adoption or rejection thereof by the City Council as provided in Sec. 3117 of this ordinance.

Sec. 2. That all policemen, firemen, teachers and other employees, who, after twenty years' continuous service in the employment of the City of Atlanta, may become disabled by reason of ill health so as to render them unable to perform service and who in their own name or whose wife or husband, living with her or him as the case may be, do not own property of the value of ten thousand dollars, shall be retired for a period of one year at a time, upon one-half of his salary, payable monthly which such employees received at the time of such injury, upon the examination and recommendation of the City

Health Officer, the approval of the Mayor and the adoption or rejection thereof by the General Council, as provided in Section 3117 of this ordinance.

Sec. 3. That all policemen, firemen, teachers and other City employees who have performed twenty years' continuous service in the employment of the City of Atlanta, and who have reached the age of sixty years and who, in their own name or whose wife or husband living with him or her, do not own property of the value of ten thousand dollars, shall be relieved of duty and retired for the remainder of their natural lives upon one-half the salary, payable monthly, that such employees received at the time of such retirement, upon the recommendation of the heads of their respective departments, the approval of the Mayor and the adoption or rejection thereof by the General Council as provided in Section 3117 of this ordinance.

Sec. 4. No retirement, as above provided, shall be effectual or legal unless the following precedent conditions are met: First an examination of such officers and employees by the City Health Officer and his recommendation that such officer or employee be retired. Second, in case of officers or employees coming under Sec. 3114 of this ordinance, the head of the department in which officer or employee sought to be retired is employed, recommends that they may be relieved of duty and retired. Third, the recommendations for retirement, as herein provided for, shall if the foregoing requirements are complied with, be filed with the Mayor of the City and he shall thereupon consider each recommendation separately and fix a time for passing upon same, giving notice to the person so recommended and giving the head of the department like notice, in which such applicant has been employed, and, at such time he shall proceed to hear evidence thereon as to all the facts set forth in the application and as to any other facts suggested by either himself or the head of the department so served, and, if in his opinion the person so recommended should be retired, as herein provided, he shall approve such recommendation and submit same together with the recommendations therefor and all other papers and facts connected therewith and copy of the evidence taken, as herein provided, to the next meeting of the

General Council and, at such meeting or at such other meeting as the General Council may decide, the approval of the Mayor shall be adopted or rejected and such action by the General Council, shall be final.

Sec. 5. The recommendations for retirement, as herein provided for, shall contain a statement of all facts relating to service, age, physical and financial conditions of the officer or employee, sought to be retired, and a full and complete statement of the reason for retirement. No payment of pensions paid hereunder shall exceed the sum of fifty dollars per month.

That the ordinance codified in Section 1765 of the City Code of 1899 be amended by striking the words "2:30 o'clock P. M." in third line and inserting in lieu thereof the following: "One O'clock P. M." so that said section when so amended shall read as follows:

The Recorder, or in his absence, the Mayor, Mayor pro tem., or one of the Council, shall hold a court at 8:30 o'clock A. M. and One O'clock P. M. each day except Sunday, at the Recorder's Court Room, for the trial of persons charged with violating any of the laws or ordinances of the City of Atlanta.

Be it resolved by the Mayor and General Council, that Section 493 of the City Code of 1899 be amended by striking therefrom the words Bond of the Recorder, \$5,000.00.

Sec. 1. Be it resolved that from and after the passage of this ordinance the hours within which pawn-brokers may open their places of business shall be from 7 o'clock A. M. to 8 o'clock P. M., except Saturdays and Christmas Holidays, when the hours of closing shall be 12 o'clock P. M.

Sec. 2. That the Police Authorities of the City of Atlanta shall see to it that the foregoing ordinance is in force the same as other laws and ordinances of the City of Atlanta.

Sec. 1. That no person shall be elected or appointed by any of the heads of any of the Departments, Boards, Commissions of Departmental organization of the City to any salaried position in or under said Department, Boards, etc., except upon the approval of the Mayor and by a two-thirds vote of the General Council with full knowledge of the facts, who is related within the third degree either by consanguinity or affinity to the Heads of said Departments, Boards, etc., or any member thereof, or who is related in like degree either to the Mayor or any member of the General Council, or the member of any Board, thereof, etc., in office at the time of such election or appointment.

Sec. 2. That the provisions of this ordinance shall not apply to such Departments, Boards, etc., where the selection of the appointee or employee is based upon eligibility and fitness for service, ascertained by mental or other examination provided by rules, regulations or ordinances governing such Departments, Boards, etc.

Sec. 3. That any member of said Boards, Departments, etc., who shall appoint or vote for any person to any position in violation of the provisions of this ordinance shall be deemed guilty of a breach of duty, and subject to removal from office on account thereof.

Sec. 4. That the provisions of this ordinance shall not apply in a case where the Heads of Departments are elected by a vote of the people and announces prior to such election the names of assistants to be appointed in said departments, and in cases where candidates for any municipal office are elected by the people, and no person shall be disqualified from holding

any municipal office elected by the people by reason of kinship either with the Mayor or any member of the General Council.

Sec. 1. That all persons, firms or corporations, their agents or employees, in charge or working at meat markets, fish markets, restaurants, bakeries, retail grocery stores, milk depots shall thoroughly and securely screen all doors, windows or other openings into such places so as to prevent the ingress of flies or other insects thereto.

Sec. 2. That no article of food except live articles such as chickens, ducks, etc. shall be kept on the outside of any market, restaurant, bakery, milk depot or other place where food is sold or offered for sale, or upon the sidewalks in front of such places for the purpose of display, or for purpose of advertisement or for any other purpose except to receive and deliver same to and from such places.

Sec. 3. That all peddlers of fruits and vegetables licensed by the City of Atlanta, or granted permission for such business, shall have tops to their wagons and shall furthermore have their wagons screened so as to prevent the ingress of flies or access by same to articles of foods contained in said wagons and peddled therefrom.

Sec. 4. That it shall be unlawful for any person to run or operate bakery or deal in bread, or any employee of such bakery or dealer in bread to carry or cause to be carried, bread, cakes or pies and like articles of food through the streets unless transported in a fly proof or dust proof receptacle. All wagons used for transporting bread, cakes and pies and like articles of food shall be furnished with a fly-proof and dust proof compartment that shall contain shelves on which the bread shall be placed and such shelves shall be covered with clean paper and this paper shall be changed at least once every twenty-four hours. Furthermore, all bread, cakes, pies and like articles of food offered for sale or kept on hand for the purpose of sale in grocery stores, bakeries, or other retail distributors of bread, etc., shall be kept in fly proof and dust proof showcases or like receptacles.

Sec. 5. That any person, firm or corporation, their agents or employees, violating any of the provisions of this ordinance shall on conviction thereof in the Recorder's Court be fined not exceeding one hundred dollars for each offense, or sentenced to work on the public works of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 6. The provisions of this ordinance as to screening articles of food and protecting same from flies shall be effective only during the months of April, May, June, July, August, September and October. During the months of November, December, January, February and March said ordinance shall not be effective nor a violation thereof subject the offender to punishment. Provided, that the provisions of this ordinance shall not be enforced during the present year, prior to June 1st, next, but thereafter the provisions of Sec. 3133 shall be enforced as reported.

That the line of the proposed widening of Peachtree Street, between its intersection with Baker and Ivy Streets, as prepared by the Chief of Construction, and a copy of which is hereto attached as a part of this ordinance, be and the same is hereby established as the building line of Peachtree Street, between Baker and Ivy Streets, and the property owners are advised that future improvements on property abutting on said portion of Peachtree Street should not be built over said building line for the reason that the City contemplates the widening of Peachtree Street between said intersection and such improvements would then have to be re-adjusted to the new line of Peachtree Street in accordance with the building line hereto attached.

Said building line contemplates the widening of Peachtree Street between said intersections to the full width of sixty feet, as shown on said map.

Sec. 1. That all railroad companies, express companies, and all common carriers doing business in the City of Atlanta

shall, on receipt of any spirituous or malt liquors, wines or beers, in quantities in excess of three gallons, on the day of the receipt of same, or on the day following thereof, make out a list of same, place of shipment, name of consignee, and the quantity by cases or barrels, the contents as marked thereon.

Sec. 2. That in the event any person, firm or corporation shall have consigned them in three gallon lots, more than one shipment in any one week, then a full report shall be made thereof in the same manner as provided for other shipments in Sec. 3135 of this ordinance.

Sec. 3. That the books, bills of lading, weigh bills, records and other documents in the possession, custody or control of railroad companies, express companies, and all common carriers, which show the receipt of delivery of any spirituous or malt liquors, wine or beer, to or for any person residing in the City of Atlanta, doing business in this city, shall be, at all times during the hours when their offices are open for business, subject to the inspection of the Chief of Police of the City of Atlanta, or any member of the Department authorized by said chief to inspect same and said common carriers, their agents and employees shall permit the Chief of Police or his authorized officers aforesaid to inspect such books, records and documents fully and completely insofar as same refer to or show delivery or receipt of any spirituous or malt liquors, wines or beers, to or for any person residing within the limits of the City of Atlanta.

Sec. 4. The reports provided for in Section 1 of this ordinance shall be made by the agent of said common carrier in charge of its business in the City of Atlanta, and shall be made on a printed blank, which blank shall be furnished by the city free of charge, and the reports provided for shall be written or typewritten thereon neatly and legibly.

Sec. 5. Any person, firm or corporation, railroad company or express company, or common carrier, their officers, agents, and employees, violating any of the provisions of this ordinance, or failing or refusing to furnish the reports provided hereunder, or failing or refusing to allow their books to be inspected as to the character of shipments herein designated, shall be deemed guilty of an offense against the peace and good order and general welfare of said City, and on conviction thereof in the Re-

Recorder's Court shall be punished by a fine not exceeding two hundred dollars, and by a sentence to work on the public works of the City of Atlanta for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1. Be it ordained by the Mayor and General Council cil, and it is hereby ordained by authority of the same, that the ordinance adopted by the General Council on March 20th, 1911, and approved by the Mayor on March . . . , 1911, having for its purpose the changing of the hours at which the Police or Recorder's Court of the City of Atlanta shall be held, and fixing a different hour for holding the afternoon sessions of said Court, be and the same is hereby repealed.

Sec. 2. Be it further ordained, by the authority afore-said, that from and after the approval of this ordinance that the hours for holding the several sessions of the said Police or Recorder's Court which prevailed and were in force prior to the passage of said ordinance repealed in Sec. 3140 above of this ordinance, be and they are hereby restored and made effective by this ordinance.

Be it ordained by the Mayor and General Council that the name of the Street now known as Bunker Street, extending from Oak Street to Gordon Street, be and the same is hereby changed to West End Place.

Whereas it is the custom to fill vacancies in Boards, Commissions, etc., at the same meeting at which same are announced and this is a bod custom for the reason that Council should be informed of the vacancies and have an opportunity to consider the most available person for the position.

Therefore be it ordained by the Mayor and General Council of the City of Atlanta as follows:

That no vacancy in any Board, Commission, etc., shall be filled by the Mayor and General Council at the same meeting at which same is announced, but following the announcement of the vacancy, an election to fill such vacancies shall not occur prior to the next regular meeting succeeding thereto.

Sec. 1. That no telephone shall be installed or hereafter maintained, at the City's expense, in or at the residence of any city official.

Sec. 2. That all appropriations therefor, either in General Apportionment sheet or in the budget of any Board or Commission of the City, are hereby stricken and the telephone companies be directed to have same removed July 1, 1911, if the city is expected to pay therefor, and the Clerk of Council is hereby directed to forward a copy of this ordinance to each telephone company in the city.

Sec. 1. That no drain for surface water from roofs, yards or otherwise shall hereafter be connected with sanitary sewers, meaning by this, the separate system of sewers by which a sewer is maintained for the drainage of sewerage matter only.

Sec. 2. That any person, firm or corporation violating this ordinance shall be punished by a fine of not exceeding one hundred dollars or by sentence upon the public works for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder on conviction in the Recorder's Court.

Sec. 1. That all money appropriated to Departments or Offices for telephone service shall be taken from such apportionment and are hereby specially apportioned to the Department of Telephone and hereafter all money appropriated for telephone service paid for by the City shall be likewise appropriated to the Department of Telephones.

Sec. 2. That all companies furnishing telephone service to or for the City shall render an itemized statement therefor to the Superintendent of Electrical Affairs and this statement shall be furnished each month and shall cover the charges for the current month.

Sec. 3. It is hereby made the duty of the Superintendent of Electrical Affairs to investigate each item in such statements and if the total bill is found correct draw a voucher therefor on the apportionment to telephone and these vouchers shall be signed by the Chairman of the Committee on Electric Lights, Telegraph and Telephones, Superintendent of Electrical Affairs and City Comptroller.

Sec. 4. Any department or officer desiring additional telephones are hereby required to make requisition therefor to said Committee who shall investigate same and make a report thereon to the General Council for final action, and favorable action must be had thereon before such additional telephone service shall be granted.

Sec. 5. The Department of Telephones is hereby placed under the general supervision of the Committee on Electric Lights, Telegraphs and Telephones.

Sec. 1. That in all cases where a person pays into the Treasury of the City an amount on account of water service in excess of the amount due thereon, such excess being caused by reason of duplicate bills or error in reading or for other purposes, the Board of Water Commissioners are hereby authorized and empowered where same is brought to their attention to return the excess to parties paying same by drawing voucher therefor on Apportionment to Refund on Taxes.

Sec. 2. That the vouchers so drawn shall be approved by the Mayor and paid by the City Tax Collector and charged to the fund aforesaid.

That from and after the passage of this ordinance all the offices in the City Hall shall be kept open continuously

from 8 o'clock A. M. until 5 o'clock P. M. on all days except Saturdays, and on Saturdays from 8 o'clock A. M. to 2 o'clock P. M.

Sec. 1. That the ordinance codified in Sec. 1042 of the City Code of 1899, which ordinance provides for the width of sidewalks on streets of named widths, to be amended by adding the following:

Sec. 2. Provided, however, that where sidewalks exist that have been laid out for use as sidewalks to a wider width than above provided that the full width of such sidewalks shall be and the same are hereby adopted as the correct width thereof notwithstanding the width of the street.

Sec. 1. That the ordinance codified in Secs. 1910 and 1911 of Code of 1899 be and the same are hereby repealed.

Sec. 2. That the ordinance approved on the day of fixing prices for transportation of passengers by hacks, etc., be amended by providing that the night rate, for one and one-half miles from the center of the City shall be fifty cents for each passenger; for each additional half mile, for each passenger, fifteen cents.

Sec. 3. That the rates for the transportation of baggage shall be as follows: For the first two miles, or fraction thereof, twenty-five cents; for two miles and one-half, thirty-five cents; for the first article, and twenty-five cents for each additional article; three miles forty-five cents for the first article, and twenty-five cents for each additional article; three and one-half miles sixty cents for the first article and forty cents for each additional article; four miles, seventy-five cents for the first article and forty cents for each additional article; four miles and one-half, eighty-five cents for the first article and fifty cents for each additional article.

Sec. 4. That no persons having or using a licensed dray, transfer wagon or other means of serving the public for the transportation of merchandise shall charge more than the fol-

lowing rates, to-wit: For one horse dray, or other conveyance of similar character, a charge of fifteen cents for each load of merchandise or other articles weighing nine hundred pounds or less. For each load weighing over nine hundred pounds, twenty-five cents. For a two horse dray or conveyance answering thereto, a charge of twenty-five cents for each load of nine hundred pounds or less and a charge of fifty cents for each load in excess of nine hundred pounds.

Where other character of vehicles are used, such as automobile or like conveyances, the charge shall be in the same proportion, that is a one-horse power answering for one-horse dray, and two-horse power to a two horse dray, etc. Parts of loads and small articles shall be charged in the same proportion as above fixed, the drayman or owner of the conveyance being entitled to charge for each article handled where the load consists of several articles for different people.

The above prices are fixed for the first one mile and a half from the center of the City. When the delivery exceeds this one mile and a half from the center of the City or a mile and a half from the point of reception to point of delivery within the City without regard to the center of the city, that is to say, the charge above fixed are for hauling a load a mile and a half or less. Following the same rule, where the transportation exceeds one mile and a half and not over two miles, there may be added ten cents to the above charges. Between two miles and two and a half miles there may be added twenty cents to the above charges.

Between two and a half miles and three miles, there may be added thirty cents to the above charges. Between three miles and three and a half miles, there may be added forty cents to the above charges. In any case where the haul or transportation exceeds three and a half miles, within the city limits, there may be added fifty cents to the above charges.

Sec. 5. For the information of the public a schedule of distances, with prices for same, going north, east, south and west, and also northeast, southeast, northwest and southwest, are hereinbefore set out with this proviso, however, that when the half mile circle strikes the street, the minimum charge for that distance shall include both sides of the street.

Going north—First mile and a half, Third street twenty-five cents; two miles, Tenth street, Thirty-five cents; two and a half miles, Fifteenth street, forty-five cents; three miles, Peachtree Circle, fifty-five cents; to northeast corner of lot of J. H. Nunnally and Peachtree street or road, sixty-five cents; to city limits seventy-five cents.

Going South.—First mile and a half, Atlanta Avenue, twenty-five cents; two miles, Boykin street, thirty-five cents; two and a half miles, Thayer Avenue, forty-five cents; to City limits (Brown street) fifty-five cents.

Going east.—First mile and a half, Estoria and Waddell Streets, twenty-five cents; two miles, Stovall and Wetherby Street, thirty-five cents; two and a half miles, Dahlgreen Street, forty-five cents; three miles, Railroad and Bird Streets, fifty-five cents; to City Limits, sixty-five cents.

Going West.—First mile and a half, Jeptha Street, twenty-five cents; two miles, Ollie street, thirty-five cents; two miles and one-half, Chickamauga Avenue, forty-five cents; three miles, Joe Johnson street, fifty-five cents; to City Limits, sixty-five cents.

Going Northeast.—First mile and one-half, Sampson and Portia Streets, twenty-five cents; two miles, Lud Street, at Copenhill avenue, thirty-five cents; two and a half miles, Moreland Avenue, forty-five cents; three miles, Whitefoord Avenue, fifty-five cents; three and one-half miles, Shadyside Park and Lullwater Road, sixty-five cents; to city limits, seventy-five cents.

Going Southeast—First mile and one-half, Augusta and Dabney avenue, twenty-five cents; two miles, Cottingham street and Robinson avenue, thirty-five cents; to City Limits, forty-five cents.

Going Southwest—First mile and one-half, Ocmulgee street twenty-five cents; two miles, Lee and Beecher streets, thirty-five cents; two and one-half miles, Smith and Warner streets, forty-five cents; three miles, Mildred and Avon (Oakland) avenues, fifty-five cents; three and one-half miles, Connally street and Evans Drive, sixty-five cents; to City Limits, seventy-five cents.

Going Northwest—First mile and one-half, Walnut and Ken-

nedy street, twenty-five cents; two miles, Bellwood avenue and Chestnut street, thirty-five cents; two and one-half miles, Finley and Jefferson street, forty-five cents; three miles, Collins and Longley streets, fifty-five cents; to City Limits, sixty-five cents.

The foregoing distances are herein ordained as a part of the existing ordinances governing hack rates and of the present ordinances governing transportation of baggage and merchandise and existing ordinances governing printing and posting of same are hereby amended as follows: The Zone limits above provided shall be printed, in addition to existing ordinance governing printing and posting of regulations for hacks and drays and shall likewise be posted in hacks or other vehicles transporting passengers and where drays or other public conveyances similar to those for the transportation of merchandise the man in charge of such dray as driver or operator shall always carry with him a copy of said ordinance for exhibition to patrons on demand and subject to the same penalties as provided in existing ordinances with reference to posting of hack charges.

Sec. 6. That the ordinance codified in Sec. 1920 of the City Code of 1899 be and the same is hereby repealed as to the provisions thereof are covered by other existing ordinances.

Sec. 7. That the ordinance codified in Sec. 1926 of the City Code of 1899 be and the same is hereby amended by adding thereto the following: "The provisions of the foregoing section are hereby made applicable to the Terminal Station, located at the corner of West Mitchell street and Madison avenue."

Sec. 8. That the provisions of the ordinance codified in Sections 1932, 1933, 1934 and 1935 of the City Code of 1899 be and the same are hereby repealed. These provisions prohibit drumming at the car shed for passengers by hackmen or boarding trains for the solicitation of business. As the railroads can permit chosen ones to do this business, under recent decisions, it is deemed advisable to take the municipal prohibition against other parties doing the same thing and let all stand on the same footing.

Sec. 9. That the ordinance codified in Sec. 1942 of the City Code of 1899 be and the same is hereby repealed as the provisions thereof are covered by other ordinances.

Sec. 10. That any person, firm or corporation, their agents, employers and persons who own, operate or control drays, transfer-wagons, motor cars or other means of transportation of merchandise, or hacks, buggies, carriages, automobiles or other means of transporting passengers, and who hold themselves out as desiring and ready to serve the public, shall always accept an order when not engaged or when all other vehicles are not employed for the transportation of baggage or the conveyance of passengers, and when such order is accepted, and time for service fixed, such service shall be rendered at the time fixed in order that baggage and passengers may reach the stations in time for trains, or reach their points of destination as agreed. On failure of any such parties to accept orders, as herein ordained and, after accepting same, on failure to fill same as herein provided, each or all said parties shall be deemed guilty of an offense and on conviction thereof in the Recorder's Court shall be punished by a fine of not exceeding two hundred dollars, or sentenced to work on the public works of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Be it ordained by the Mayor and General Council that the name Mechanic street be changed to Manhattan Ave.

That the following amendment be made to electric wiring rules of the City.

That all wires installed in the future for electric lights or power in buildings must be run in iron conduits or steel covered cables, except in private residences and servant houses connected therewith, where said servant houses are not located over garages.

Be it ordained by the Mayor and General Council that the name of McDonald street, from McMillan street to Curran street, be changed to Turner Place.

That the ordinance adopted by General Council on the 23d day of March, 1882, and all other ordinances fixing the term of office of the Chief of Fire Department, be amended by increasing the same to a term of four years instead of two, as now provided and the words "two years" in Section 2 of said ordinance are hereby stricken and the term of "four years" inserted thereon.

That the ordinance approved February 13th, 1911, abolishing City Physicians and creating two assistant Health Officers be amended as follows:

(A) That the words "Assistant Health Officers" where used in said ordinance, as a substitute for the name "City Physicians" be stricken, and words "City Physicians" inserted in lieu thereof, this Section has reference to the two Assistant Health Officers provided for in said ordinance.

(B) That the words "Medical Staff" where used in said ordinance as the person or officer to select the Assistant Health Officers, provided for in said ordinance, be stricken, and the words "Medical Board" be inserted in lieu thereof.

(C) That the words one year's hospital service provided in said ordinance as a qualification for Assistant Health Officer, be stricken, and the words "one year's actual practice or hospital service or other similar service" be inserted in lieu thereof.

(D) That for this year, the General Council shall select the two Assistant Health Officers or City Physicians, from six men recommended by said Medical Board, with or without examination, giving the preference to such as have successfully stood the required examination. After this year, the original requirements as to examination shall be followed.

Be it ordained by the Mayor and General Council of the City of Atlanta, that Section 1 of the ordinance approved April 5th, 1911, regulating the display of food products and similar products be amended by adding after the word "depots" the word "fruit stores, fruit stands, or stores in which fruit is sold at retail" so that said Section, when amended, shall read as follows:

That all persons, firms, or corporations, their agents or employees in charge of or working at meat markets, fish markets, restaurants, bakeries, retail grocery stores, milk depots, fruit stores, fruit stands, or stores in which fruit is sold at retail, shall thoroughly and securely screen all doors, windows or other openings in and to such places so as to prevent the ingress of flies or other insects thereto.

Be it ordained by the Mayor and General Council of the City of Atlanta that the names of the following streets in the City of Atlanta which have duplicate names in other parts of the City, be changed as follows:

Amy street, from Windsor to Sims Delaven street
Anderson Avenue from W. Hunter street north .. Domar Ave.
Anderson Ave. from Whitefoord Ave. to

Mayson street Hodge Avenue
Arnold Ave. from Mayson Ave. to Glendale Roark St.
Atlanta Ave. from Wellington St. to Chick-

amauga St. Mims St.
Bishop St. from Exposition St. to Edgehill Ave....Watkins St.
Bradley Ave. from Curran St. to Edgehill Ave.W. 3rd St.
Center St. from Fifteenth St. to W. Peachtree St. ..Ruggles St.
Chapel Road from W. Hunter St., North Peck St.
Cherry Ave. from 15th St. to 16th St. Barnes St.
Clark St. from Hemphill Ave. to 14th St. Dernel St.
Collins St. from Marietta St. to Rice St. Sharp St.
East St. from R. R. St. east to near Clay St.Rushton St.
East St. from Lyman St. to 16th St. Mecaslin St.
Elizabeth St. from Fletcher St. to University Ave.. Coleman St.
Elliott St. from Pelham St. to Bellwood Ave.Whitaker St.
Ella St. from Deaklb Ave. to Edgewood Ave. ..Blackburn St.
Fairview Ave. from 40 Vanira St. to Boynton Ave...Dunning St.
Faith St. in Oakland City Osborne St.
Fifth St. from Stovall St. to Atlanta and W. P.

R. R. Sherwood St.
Finley St. from Pelham St. to Bellwood Ave. Bullard St.
Fourth St. from Holtzclaw St. to Stovall St. Hobson St.
Fulton Terrace from Pearl to S. Delta Sasseen St.
George St. from Ethel St. to 14th St. Flynn St.
George St. from Vine St. to Ficken St. Williford St.

Glendale Ave. from Bay St. to Bellwood Ave. Simmons St.
 Golden Ave. from Lyons South to Alley Salmons St.
 Grady Ave. from Park Ave. to S. Boulevard Mead St.
 Hayne St. from Whitefoord Ave. to Maud St. Carr St.
 High St. from Piedmont St. to 14th St. Snyder St.
 Hull St. Dekalb Ave. to New York Ave. Casson St.
 Inman St. from Gordon St. to Greensferry Ave. .. Deyden St.
 Jefferson St. from 916 Marietta St. to Rice St. Boring St.
 Jonesboro Road from Central R. R. to Ashby St. .. Langston St.
 Lee Ave. from Curran St. to Greenfield Ave. Keely St.
 Lowndes St. from Forrest Ave. to Currier St. Buchanan St.
 Martin St. near Exposition Street Thrower St.
 McDonald St. from Curran St. to McMillan St. .. Turner Place
 McDonough Road from Doane St. to Fortress Ave., Adamson St.
 Milton Drive from Central R R. to Jonesboro

Road Mickelberry St.
 Morgan St. from Hardee St. to Meridian St. Hutchison St.
 Murphy Ave. from 843 Marietta St. to W. & A. R.

R. Middlebrooks St.
 Newton Ave. from Flat Shoals Ave. East to

City Limits Stockdell St.
 Oak St. from Campbellton Road to Rankin St. Day St.
 Oliver St. from Wylie St. to Kirkwood Ave. Kinyon St.
 Pearse St. from Mayson Ave. to Mell Ave. Kirkpatrick St.
 Piedmont St. from Hemphill Ave. to Tumlin St. Calhoun St.
 Pine St. from 10th St. to 14th St. Hirsch St.
 Powell St. from W. & A. R. R. to Wheeler St. Garrett St.
 Prospect St. from Grady Ave. to A. & W. P. Belt. . McBride St.
 Rice St. from Marietta St. South to Fulton Co.

Stockade McWaters St.
 Railroad St. from West Ave. to S. Pryor St. Holbrook St.
 Rankin St. from Lee St. to Church St. Harman St.
 Ridge Ave. from Hemphill Ave. to Eighth St. Reneau St.
 Ridge Ave. from 98 McLendon St. to Euclid Ave. . Colvin St.
 Smith St. from Lee St. to Peeples St. Dimmock St.
 Todd Road from North Ave. to Ponce de Leon Ave., LaHatte St.
 University Place from Magnolia St. to Car-

ter St. McCullough St.
 West Ave. from Lee St. to Peeples St. Sparks St.
 Western Ave. from Oliver St. to Ashby St. Beutell St.
 Wood St. from Saxon St. to Hornady St. Moran St.
 Wilson St. from Fort to Hilliard St. Dodge St.

Wilson St. from University Ave. to Rockwell St. Welch St.
 Gardner St. from Stewart Ave. to Hobson St. Hope St.

Be it ordained by the Mayor and General Council that the name of Oak Street in formerly Oakland City be and the same is hereby changed to White Oak Avenue.

Sec. 1. Be it ordained by the Mayor and General Council, from and after the passage of this act, that it shall be unlawful for any person, firm or corporation conducting a junk business either wholesale or retail to keep open their place of business for the purpose of purchasing or selling any kind of junk later than 6 o'clock P. M., or open said place earlier than 6 a. m.

Sec. 2. That any violator of this ordinance may be punished in the discretion of the Recorder by fine of not less than \$1.00 or more than \$100.00 or in his discretion sentenced to work on the public works not more than 30 days.

An ordinance establishing fixed prices to be paid plumbers for filling in ditches and replacing pavement over the same where sewer connections are made in the city.

Be it ordained by the Mayor and General Council of the City of Atlanta that the following prices shall be charged by the Chief of Construction against the plumbers in the City for refilling ditches and replacing pavements over all excavations that are made in the streets for this purpose.

These prices prevail on all streets 50 feet in width and under, On streets over 50 feet in width, the prices will be charged proportionately. These prices are based on ditches running from the sewer approximately at right angle to the axis of the street from the sewer to the property line.

For refilling and ramming	\$3.00
For repaving Belgian Block and Chert Streets	2.00

On all other pavements except Belgian Block and Chert, the price for repaving will be 30c per square foot for the amount of pavement that is to be relaid. This cost includes the sidewalk and relaying the same in either brick or tile, but the plumber will be charged for any new tile or new brick that will have to be furnished for the completion of the work.

The plumber is to clean off the old tile ready to lay.

On all private sewers running parallel with the axis of the street, the prices will be charged proportionately, according to the length of sewer built.

Be it ordained by the Mayor and General Council that the ordinance fixing the width of tile sidewalks on certain width streets be suspended insofar as it applies to Home Park Avenue, and that the property owners be authorized to lay a sidewalk on this street five (5) feet in width instead of six (6) feet in width, as required by the present ordinance.

Be it ordained by the Mayor and General Council of the City of Atlanta, that Section 982 of the Code of the City of Atlanta of 1899 be amended as follows:

By inserting in the fifth line thereof between the words "same" and "from" the words "in detail as listed." Also by inserting in line 7 thereof between the words "contracts" and "to" the words "for such articles separately and in detail as listed." Also by inserting in line 10 thereof between the word "reject" and the word "any," "in whole or in part." Also by inserting in line 16 thereof between the words "departments" and "shall," "shall list the same and." Also by inserting in line 17 thereof between the words "articles" and "who," the words "separate and in detail." Also by inserting in line 19 thereof between the words "contracts" and "may" the words "separately and in detail." Also by inserting in line 20 thereof between the words "cases" and "all" the words "preserving the right to reject in whole or in part any or all of said bids," so that said Section when amended shall read as follows:

In the month of January each year, every department of the City Government shall make out a detailed list of every article which may be needed for general use in the department as near as can be estimated during the year, and hand to the City Comptroller, who shall ask for bids for same in detail as listed from houses in the City, where practicable, dealing in the line of goods needed, to be delivered during the year as may be needed for use from time to time. These bids shall be directed to the Finance Committee of Council, and they may award contracts for such articles separate and in detail as listed, to the best bidders in their discretion, reserving the right to reject, in whole or in part, any and all bids.

The contracts having been awarded as above provided for, then the heads of departments shall make requisition on the City Comptroller for such articles as they may need from time to time during the year, who shall supply them by orders in the contractors, when contracts cannot be awarded for the entire year on account of fluctuations in prices or nature of articles wanted, the heads of the departments shall list the same and shall make requisition on the Comptroller for such articles, separately and in detail, who shall ask for bids for same, said bids to be opened by the Committee having supervision of the department so making requisition, and contracts separate and in detail may be awarded to the best bidder in such cases, reserving the right to reject in whole or part any or all of said bids. All bids from contractors for supplies furnished the City must be accompanied with the order of the Comptroller for same, and he must see that the goods have been supplied at the price and the quality contracted for.

An ordinance to repeal an ordinance approved March, 1909, in reference to repairs on sidewalks and the laying of curbing and sidewalks.

Be it ordained by the Mayor and General Council, that the ordinance adopted by the Council on March 4, 1909, and approved by the Mayor on March 8th, 1909, in reference to repairs on sidewalks and the laying of curbing and sidewalks, be repealed, and that the original ordinance as shown in Sec. 1050 of the Code of 1899 be dopted in lieu thereof, with the following amendments.

Sec. 1. That wherever the words "Commissioner of Public Works" or the word "Commissioner" appears in said ordinance, the words "Chief of Construction" shall be inserted in lieu thereof, and that wherever the words "Ten days notice" is required, the words "Five days notice" shall be inserted in lieu thereof, so that the Section as amended will read as follows:

Sec. 2. It shall be the duty of persons owning lots fronting on streets, or property abutting on private alleys, in said city, upon notice of the Chief of Construction, to put down in front of their property, upon the grade furnished by the said Chief of Construction and in accordance with his direction, and in such manner as to receive his approval, good and substantial curbing and sidewalks of such character and material as the General Council shall, by resolution, prescribe. They shall keep the same in good repair, whether put down by themselves or by the City; and if they should fail to do so after five days' notice, the said Chief of Construction shall have such repairs done at the expense of the lot owner, and collect for such repairs as in hereinafter provided, in cases where lot owners refuse or fail to put down sidewalks after notice; provided, that should said sidewalks be in a condition dangerous to passers-by that five days notice shall not be necessary but the said Chief of Construction may have such repairs done at once, and collect therefor in the same manner as though such five days' notice had been given.

Sec. 1. Be it ordained by the Mayor and General Council of the City of Atlanta, that as soon as the President approves the Act of Congress, which provides for the cession of former Custom House lot to the City of Atlanta, the permanent City Hall shall be established in building at junction of Marietta, North Forsyth and Fairlie Streets, being the property heretofore conveyed to United States of America by the City of Atlanta.

Sec. 2. Be it further ordained that the ordinance heretofore passed establishing a temporary City Hall at the Auditorium and providing that the meetings of the General Council or Boards of Council or Aldermen or Board or other acts of the City, to be held at the Auditorium, or elsewhere, are hereby re-

pealed, and such meetings and acts, and all official duties shall thereafter be performed at the City Hall as herein established. All assessments, sales, and like acts done by the authority of the City and required to be done at the City Hall, shall be done at the said New City Hall.

Sec. 3. Be it further ordained that all ordinances and parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

Sec. 4. However, this ordinance shall become effective only when said Bill is approved by the President.

Sec. 4. That it shall hereafter be unlawful to make use of muffler cut-outs and all other kinds of noise devices attached to the exhaust of the engines of automobiles and motor cycles and similar machines, while on the streets of Atlanta.

Sec. 2. That any person, driver or otherwise, using said muffler cut-outs and noise making devices shall be deemed guilty of an offense and on conviction thereof in the Recorder's Court, shall be fined not exceeding one hundred dollars, or sentenced to work on the public works of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1. That the ordinance approved February 13, 1911, abolishing City Physicians and creating the position of Assistant Health Officers be amended by striking therefrom, wherever same occurs, the words "Trustees of Grady Hospital" and inserting in lieu thereof the following words: "Board of Health."

Sec. 2. That the City Physicians created by said ordinance and its amendments shall be provided by the Custodian of City Hall offices in the quarters assigned the Board of Health in the City Hall.

Be it ordained by the Mayor and General Council of the City of Atlanta:

Sec. 1. That the Chief of the Fire Department is hereby named to act with the Building Inspector and the Superintendent of Electric Affairs, to pass upon all applications for permits for the erection of new theatres or other buildings requiring such joint action under existing ordinances.

Sec. 4. That no portion of any building or structure of any kind used or intended to be used for the exhibition of moving pictures shall otherwise be occupied or used as a hotel, boarding or lodging house, factory or workshop or for the carrying on of any business dealing in articles known as hazardous, under insurance contracts. This restriction shall refer to and cover not only that portion of the building in which the moving pictures are displayed but to the entire building or structure of which the moving picture department is only a part. The purpose of this ordinance is not to allow any building to be occupied for the purpose above named, where a portion thereof is used to display moving pictures, no matter how large the building may be. Any person, firm or corporation violating this section and using themselves or permitting others to use a building or any portion of a building or structure in violation of this ordinance, shall be deemed guilty of an offense and on conviction thereof in the Recorder's Court shall be punished by a fine of not exceeding five hundred dollars or sentenced to work on the public works of the City for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 5. That all electric theatres or auditoriums where moving pictures are displayed having a seating capacity of over four hundred persons shall conform to all the requirements of the theatre ordinance adopted July 2, 1906, and for a violation of this provision shall be punished therein.

Sec. 6. That all electric theatres or auditoriums where moving pictures are displayed, having a seating capacity of four hundred persons or less, shall be provided with at least two front doors each of which shall be provided with at least two front doors each of which shall not be less than four feet wide; provided, further, that such electric theatres as have a seating capacity of less than one hundred and fifty shall be provided with one emergency exit not less than two feet and three inches wide. Where the seating capacity of said theatres is greater than one hundred and fifty persons and not more than four hundred persons, they shall be provided with two emergency exits each with

a width of not less than two feet and three inches. All such emergency exits shall be located in the rear of such theatres and the doors shall open outward, directly into an open court or alley, having three unobstructed exits into an open street. Any person, firm or corporation violating the provisions of this section shall be subject to the penalty provided in the theater ordinance adopted July 2, 1907.

Sec. 1. From and after January 1st, 1912, it shall be unlawful for any person, firm or corporation, their agents or employees to empty or discharge and trade refuse of any kind or character into sewer within the limits of the City of Atlanta without first securing a permit from the Chief of Construction authorizing the same.

Sec. 2. That any person, firm or corporation, their agents or employees violating the provisions of this ordinance shall upon conviction thereof in the Recorder's Court of the City of Atlanta, be fined not exceeding \$200.00 for each offence, or sentenced to work for not exceeding thirty days upon the streets or public works of the City of Atlanta, either or both penalties to be inflicted in the discretion of the Recorder.

Sec. 1. Be it ordained by the Mayor and General Council that the ordinance approved on June 21st, 1911, which changed the name of Anderson Ave. from Whiteford Ave. to Mayson Ave. to Hodge street, be and the same is hereby amended by changing the name of Hodge street to Miller street.

Be it ordained by the Mayor and General Council that the name of the street now known as Pickert street from South Boulevard to the City's property, be changed to Hansel street, this street being practically a continuation of the present Hansel street between S. Boulevard and Park Avenue.

Sec. 1. Be it ordained by the Mayor and General Council of the City of Atlanta, that the ordinance approved April 5th, 1911, regulating the display of food products, protecting the

same from flies, be amended by adding thereto the following section to be known as Section 6-A.

Sec. 2. That the screens to all doors and windows of restaurants in which near beer is served, sold, or offered for sale, and which are required to be screened under the provisions of this ordinance, shall be so constructed as not to unnecessarily obstruct or hinder the view into such restaurant in which near beer is served, sold or offered for sale. Such screens shall be constructed under plans approved by the Building Inspector of the City of Atlanta, and the Chief of Police; and it shall be unlawful for any person, firm or corporation, their servants or employees to maintain any screens in any door or window to any restaurant in which near beer is served, sold or offered for sale, unless the plan of construction thereof has been approved by the Building Inspector and the Chief of Police of the City of Atlanta. and the violation of any provision of this Section shall be punished as provided in Section 5 of said original ordinance approved April 5th, 1911.

Sec. 1. That the City Code compiled by and under the direction of James L. Mayson and W. D. Ellis, Jr., City Attorneys, and now ready for publication, containing the City Charter and the ordinances of the City, the pages of which are numbered from 1 to 862 inclusive, without reference to the appendix or index, and the Sections of which are numbered from 1 to 3003, inclusive, a copy of which is filed herewith in the office of the Clerk of Council, be and the same is hereby adopted as the Code of the City of Atlanta, to be known as the City Code of Atlanta of 1910, except the provisions of 1811 of said Code of 1910 are stricken therefrom as the matters therein referred to are sufficiently covered by the provisions of Secs. 1810 of said Code.

Sec. 2. That the ordinance approved September 8, 1899, adopting a City Code compiled by then City Attorney, and all other ordinances and parts of ordinances in conflict with this ordinance be, and the same are hereby repealed.

Be it ordained by Mayor and General Council that the following amendments be made to City Moving Picture ordinance.

All applicants for moving picture license must present written credentials from two known competent operators or employers of responsibility as to their experience in the picture business.

The examination of applicants for licensse is to be held the first Saturday after applicant pays in the five dollars fee required.

In an emergency the City Electrician may issue temporary permit to applicant after said applicant has paid into the City the sum of five dollars, and furnished the reference as above stated. . .

When an examination is to be held the City Electrician is required to notify all members of the Board of Examiners in writing.

Sec. 1. That the ordinance approved January 7th, 1907, and January 21st, 1911, relative to social clubs, be and the same are hereby repealed.

Sec. 2. That any firm, person or coporation desiring to operate or maintain or have or open up any club or similar organization wherein lockers are provided for the use of members, (Fees charged for membership or for use of lockers or for other purposes, having a club house, club rooms, parlors or other general places of meeting), shall file a petition with the Mayor and General Council asking for permit therefor and such petition shall give the name of the club, the name of the president, secretary, or manager in charge thereof, its location, the number of members, the amount of entrance fees paid or to be paid, dues and charges for lockers, or locker service and such other information as will put the General Council in full possession of the facts surrounding such clubs or proposed clubs by which it can decide whether same is a bona fide social or locker club.

Sec. 3. That any club or organization, coming under the provisions of Sec. 3223 of this ordinance, shall, when demand is made by any member of the Police Committee of the General Council, at the club room or place of meeting, exhibit the roll of membership upon which only bona fide members of the club shall be written. And also, the books and records showing amount of liquors, beer or wine received by said club, to whom sold and the price received therefor, and, also the books or rec-

ords showing manner, time and place of electing members. Said club, its officers and employees shall, at all times, comply with this requirement and shall keep said roll of membership at the club room or place of meeting where same can at any time be produced when said demand is made.

Sec. 4. That any person, firm or corporation, their agents or employees who shall maintain, operate or carry on or take part in the maintenance or operation of any club in violation of the provisions of this ordinance, or without receiving the permit above provided, or after such permit has been revoked by Council shall, on conviction in the Recorder's Court, be punished by a fine not exceeding five hundred dollars, or sentenced to work on the public works for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder. A conviction hereunder in the Recorder's Court shall ipso facto make a revocation of said permit, and, pending certiorari, the club shall cease to operate thereunder.

Sec. 5. That any club, officers or employees thereof, who shall refuse to admit any member of the Police Committee of the General Council therein on demand, or who shall refuse to exhibit the roll of membership or records or books provided for in this ordinance, or who shall not permit an inspection of such club room, or meeting place, on such demand, shall be deemed guilty of an offense and, on conviction in the Recorder's Court, shall be punished as provided in Sec. 4 of this ordinance.

Sec. 6. That no permit shall be granted to any club or similar organization unless it appears that same is a bona fide locker club and not instituted or operated, either with or without charter, for the purpose of providing a place wherein intoxicating liquors, beers, wines, etc. may be furnished illegally under the form or guise of a club, or in or at which there is not operated or maintained a bona fide locker club herein provided for, and any persons, either by themselves or others, who shall undertake, with or without a charter, to operate a club or like organization, for the purpose of supplying liquors, wines, beers, etc., through the form or guise of a club, without having, maintaining or operating a bona fide locker club as herein provided, shall be deemed guilty of an offense and, on conviction in the Recorder's Court, shall be punished as provided in Section 3225 of this ordinance.

Sec. 7. That no permit shall be issued to any club, either with or without charter, unless it appears that same is operated, or maintained or proposed to be operated as a bona fide locker club, having a bona fide membership, club house or place of meeting maintained as a locker club at which lockers are maintained for the bona fide use of members only, and charges made therefor, and not as a cloak or subterfuge for the sale of intoxicants, and having a membership whose dues or entrance fees are sufficient to provide for the maintenance of such organization, and the expenses thereof and same operated and maintained in an orderly manner complying with all the laws of the State and ordinances of the City.

Sec. 1. That the ordinance providing that the polls open at each voting place at 7:00 o'clock A. M. and close at 6:00 P. M. being codified in Sec. 954 of the City Code of 1910 be amended by striking the words "6:00 o'clock P. M." therefrom and inserting in lieu thereof the words "7:00 o'clock P. M." so that said ordinance when so amended shall read as follows:

Sec. 2. The polls shall be opened at each of the voting places at 7 o'clock A. M. and closed at 7 o'clock P. M. on the day of election.

Be it ordained by the Mayor and General Council that the name of Rice street, beginning at Jackson street and extending eastward to the Southern Railway, be changed to Wabash Avenue.

Sec. 1. That it shall hereafter be unlawful to erect, maintain a billboard or like structure wherein advertisements are printed or posted within 200 yards of the limits of Grant Park or Piedmont Park.

Sec. 2. That any person or firm or corporation, their agents or employees violating the provisions of this ordinance, shall upon conviction in the Recorder's Court be punished by a fine of \$100.00, or sentenced to work on the public works for not exceeding thirty days, either or both penalties to be inflicted in the discretion of the Recorder.

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